

The Nation.

NEW YORK, THURSDAY, DECEMBER 5, 1878.

The Week.

CONGRESS opened quietly on Monday. In the Senate the first matters introduced were the transfer of the Indian Bureau, the investigation of the yellow fever, the retirement of the trade-dollar (by Mr. Beck, of Kentucky), the making it legal tender (by Mr. Voorhees, of Indiana), and the Southern electoral outrages. This last resolution was Mr. Blaine's, and by it the Judiciary Committee is instructed to enquire whether at the late elections "the Constitutional rights of American citizens were violated in any of the States of the Union" by intimidation, fraud, refusal to receive ballots, etc., etc.; and whether any additional legislation is necessary. The reading of the Message in the House caused Mr. Fernando Wood to attack the President for his vacillation concerning the South, and Mr. Garfield to retort effectively as regarded Mr. Wood. On Tuesday, in the Senate, Mr. Morrill introduced a bill authorizing the issue of certificates of deposit; Mr. Beck wanted the Secretary of the Treasury to tell what he had done towards receiving the silver dollar for customs dues and paying it out for interest on the public debt; and Mr. Matthews called up the Texas and Pacific Bill. The House promptly passed the Military Academy and Fortification Appropriation bills.

The President's Message deals first with the yellow fever, estimating the number of cases at one hundred thousand and the deaths at twenty thousand, according to "intelligent estimates," but we suspect this is a serious exaggeration. The loss in money he sets down at "hundreds of millions of dollars," and suggests the establishment of a system of national sanitary administration with high quarantine powers. He gives a summary of the way in which the negroes obtained the franchise at the South; describes the expectations entertained of the working of the measure by its friends; alleges that in some States the negroes "have not been able to make their opinions felt in the elections, owing to influences not easily measured or remedied by legal protection," but that in South Carolina and Louisiana, and in some particular Congressional districts outside these States, the participation of colored voters in the elections has been "neither general nor free." It is for Congress to determine the validity of these elections in the case of its own members, he says; while, for his part, he wishes the powers now vested in him by statute to prosecute the offenders, and will appeal to the legislatures, courts, and executive authorities to prevent a repetition of the crimes, and he asks for money for the expenses of legal proceedings. He comments on the deep importance to the whole country of free elections in each district, and expresses the confident belief that with regard to this things are improving at the South. He speaks approvingly of the Paris Exposition and our share in it; gives the result of the Silver Conference without comment; describes our foreign relations, speaking hopefully about the troubles on the Mexican border, and then gives brief summaries of the reports of the various Departments. He not only suggests no financial legislation, but expresses the hope that none will be attempted, and maintains dead silence about civil-service reform, which only two short years ago formed such a very prominent feature in his programme.

The only part of the Message which calls for any expression of opinion is that relating to the South, which merely states undeniable facts in a somewhat tame way. There is no fault to be found with it except that it is not full enough. The problem is a serious one, and merited more discussion from one who, like the President, has the means of being exceptionally well informed about it, and might therefore give a healthy and rational direction to public opinion about it. He might, for instance, have disengaged the facts

of the situation in South Carolina and Louisiana from the mass of newspaper rant in which they are now enveloped, and let the world know just what the cheating and intimidating amounted to, and how much of it, if any, was reachable by legislation. The omission of all mention of civil-service reform, of the progress it has or has not made, and of the difficulties it has encountered, is, considering everything, discouraging enough.

The difference of opinion about the Southern portion of the Message, between the two great Republican preachers in this city, the *Times* and *Tribune*, is at once sad and embarrassing. The *Times* can hardly find words strong enough to express its condemnation. The "phraseology" of the Message is "milk and water"; it is "pervaded by a mild optimism" which some deluded people may take for "amiability," but which is in reality "weakness," and the poor author gets his "consolation" about the South not out of the facts, but out of his own "inner consciousness," and has "a sublime faith in the angelic tendency of American humanity." The *Tribune*, on the other hand, which is as sound on "outrages" as any other paper in the universe, we care not where the other may be printed, declares that the President tells the truth about the South "without a rag of disguise"; and "congratulates the country upon the firm stand the President has taken with respect to this vital matter," and predicts that "the people of America will stand by him to a man," though what they are going to "stand by him" for does not clearly appear. If it is in prosecuting the Southern intimidators, a great crowd would only embarrass him, as all he needs to do is to instruct the District-Attorney properly and see that he does his duty. But we cannot help feeling that the *Tribune* makes a great mistake on its own account in taking this hopeful and encouraging view. The *Times* is on far safer ground in a race for organship, and if the *Tribune* does not take care its sour and despondent rival will rob it of the advantage derived from the great telegram and "coparcener" achievement, in spite of its immense and unquestioned superiority to the *Times* in the matter of Mr. Stewart's body.

The report of the Secretary of the Treasury is in all respects praiseworthy and very useful, both as regards opinions and statements of facts, showing what a different person Mr. Sherman freshly stiffened by an election is from Mr. Sherman a little doubtful how the wind is going to blow. He promises a surplus of receipts over expenditures for the financial year ending June 30, 1879, of \$24,400,000, and a contribution to the Sinking Fund of \$36,954,607 87 for the same period. He gives a brief account of the preparations made for resumption, with which most of our readers are already familiar, and reminds those who insisted on the reissue of the redeemed greenbacks that they can only be reissued in consequence of appropriations made by law, in the purchase of bullion, or for the refunding of the public debt—which is another way of saying that they can only be got into circulation by increasing the expenditures of the Government. He gives a clear account of the way in which the unrestricted coinage of silver will continually affect the currency of the country, and a description of the working of Gresham's Law, which we hope some of the silver-men will read carefully and try to understand; recommends, in view of the altered relative value of gold and silver, the readjustment of the present legal ratio so as to make it 1 to 16, instead of 1 to 15½, and, in order to prevent silver from driving gold out of the country and reducing us to a single silver standard, he asks Congress to authorize him to stop coining silver when the amount outstanding is over \$50,000,000, showing that this is about the amount he thinks we can maintain at par. In this he differs from the silver prophet of the *Chicago Tribune*, who swears lustily that we could support \$300,000,000 of silver without winking.

We have discussed the sugar question and the comparative merits of the specific and ad-valorem duties elsewhere. Mr. Sherman strongly urges the adoption of the former as far as practicable in all future revisions of the tariff, and asks for increased means of paying informers for reporting frauds on the revenue, but does not ask for the restoration of the moiety system. He closes with a complimentary reference to the fidelity and efficiency with which the multifarious duties imposed by law on the officers of the Treasury are discharged, and justly suggests that it "would seem proper that the persons performing duties so varied and important should have a tenure of office terminable only for cause, as is the case in the Army and Navy, and that provision be made for increased pay as a reward for long-continued and faithful service." Curiously enough Mr. Sherman, from whom it was least to be expected, is the only member of the Administration who says a word on this subject.

The Report of the Secretary of the Interior opens with an account of what has been done in furtherance of his views of a proper Indian policy, as enunciated last year. Agencies have been consolidated, at twenty-two of them an Indian police has been organized and has worked well, and fifty boys and girls, selected from different tribes, have been taken to the Hampton Normal and Agricultural Institute, in Virginia, "where they will receive an elementary English education and thorough practical instruction in farming and other useful work, to be sent back to their tribes after the completed course." The Indian service has been largely reorganized and its character raised, and fraud vigorously prosecuted wherever detected. Congress, by its tardy and insufficient appropriations, and the temper of the Western people, are the two great obstacles to the success of the Bureau with its present machinery. The creation of mounted "Indian auxiliaries," consisting of young men from various tribes, under the command of the military authorities, is recommended. The removal of the Sioux to a site of their own choosing, in accordance with the President's promise, and their good behavior are commented on, and it is stated that a wagon-train organization manned by Indians with their ponies for transporting supplies from the Missouri River promises to fulfil the service for which contractors made such exorbitant bids that they were rejected. Mention is made of the hard case of the Pimas and Maricopas, of Arizona, whose reservation was partly irrigated by the Gila River, which has now been diverted in its upper course by the miners, so that their crops failed and they were compelled to leave their reservation. The Bannock outbreak is attributed to insufficient food, for which Congress was responsible; that of the Cheyennes to a native spirit of discontent without a grievance. The other chief topics of the Report of public interest are the timber lands, and the railroads in their relations to the new Bureau of Railroad Accounts. The disloyalty of Congress in hampering the Government's endeavor to prevent timber depredations is shown up, and an earnest appeal is made for the abrogation of laws passed last session by which the destruction of timber and ultimate devastation of the country on the Pacific Coast are almost ensured. A summary statement is given of the business, profits, debts, subsidies, rolling-stock, etc., of the railroads which have complied with the law requiring them to report to the Auditor.

The report of the Secretary of the Navy shows a general improvement in his department, and contains the usual protest against the imprudence of a commercial nation's maintaining a weak navy, but there is no matter of special interest except the announcement of the success of the recent survey of the Amazon and Madeira rivers. The main points of the Secretary of War, in his report, are the recounting of the Indian experience of the year, with a recommendation of the Army plan of overawing the Indians by a display of force while the process of civilization is going on; the success of the policy of increasing our forces on the Rio Grande, and pursuing the marauders with greater vigor, so that during the year there has been less trouble, and for the last four months perfect quiet; and, most important of all, a demand for the repeal of the *posse-comita-*

tus clause in the Appropriation Bill, or for an express authorization of the use of the Army in a greater number of cases; and here the Secretary points his demands by a reference to the mail-robberies in New Mexico and Arizona, and the disturbances at Lincoln, New Mexico, which the President was forced to declare an insurrection before there was an opportunity to pacify them.

The disposition to regard the present Congress as incapable of any useful work during the short session just begun is natural and well justified. There are, however, several important measures which afford no room for party opposition and which ought to be passed at once. One of these is Mr. Clarkson N. Potter's bill for transferring private claims from Congress to the Court of Claims, not for final decision but for examination and report, without which Congress is debarred from considering or allowing the payment of any of them. This is the measure to which its author lately referred as perhaps the sole reward of his laborious service in Congress; and it is one which of itself would make the ordinary Congressman a character for statesmanship. Whether it shall be enacted depends now upon the Senate, for the House passed it at the last session. We take the liberty of reminding Mr. Blaine, as well as the rest of his Republican colleagues who may think the ballot-stuffing in South Carolina a more pressing subject of debate, that a self-correcting, and therefore temporary, evil has no dangers for national morality and well-being comparable to those which attend the corruption of the sources of legislation. Another urgent occasion for speedy Congressional action is the approach of a new census year without anything having been done to remedy the defects of the law of 1850. General Walker, the Superintendent of the Census, has sent in a report pointing out these defects, and how they should be remedied; and we cannot believe that a bill embodying his ideas will fail for any other reason than the party wrangling over dead issues, by which there are already signs that the present session may be rendered futile. Upon the enumeration the reapportionment of the representation in the House of Representatives will depend.

The dispute between Secretary Schurz and the Army officers in regard to the management of the Indians has been continued in a letter addressed by the former to the Secretary of War, and in a letter from General Sherman to the Chairman of the Joint Committee having under consideration the transfer of Indian affairs to the War Department. Mr. Schurz's letter relates to General Sheridan's charges that the consolidation this summer of the Kiowa and Comanche agencies in the Indian Territory with the Wichita agency was designed to defraud the Indians by taking them where cheating could not be observed and exposed by the military. It was also alleged by the General that the water and soil were as good at Fort Sill as at Wichita, and the removal was a piece of petty and false economy, since it would entail the removal of the fort also; and that the President, the Secretary, and the Commissioner of Indian Affairs in ordering and approving it "must have been deceived by an Indian agent." Mr. Schurz's reply covers every detail of these charges, and leaves them not a leg to stand on. He shows that the removal was determined on before the present agent was appointed to the post, and was recommended by a number of disinterested and unimpeachable persons and commissioners during several years past, one of the grounds being the sexual relations of the military and the Indians; that the water is good at Fort Sill—so good that the military are careful not to let the Indians use it till after it has received the drainage of the fort; that the soil is not bad, but the military get the best of it and it is subject to drought; that the fort need not be removed, but, on the contrary, is very much needed just where it is, to guard the Texas frontier against hostile incursions. General Sherman approved the consolidation, but wanted it to work the other way—i.e., toward Fort Sill—to which the Secretary's objection is that the Wichitas are well established and prospering and ought not to be disturbed. "The difference between us," he says of both generals, "seems only to be that they look at things from a point of view most favorable to the accommodation of the military,

while this Department looks at the same things from a point of view most favorable to the welfare of the Indians."

General Sherman's letter is devoted chiefly to the Sioux removal, is entirely courteous towards the Secretary and Commissioner, and takes due account of the fact that the removal was in fulfillment of a sacred pledge, rendered all the more sacred by the objections which the Government felt and urged against a site remote from the Missouri. He foresees "more wars near at hand" as a consequence of the new location and the utter inability of the agents to restrain the Indians without recourse to the military. From the latter cause he expects further trouble, too, from the Cheyennes, Arapahoes, Kiowas, and Comanches of the Indian Territory. As he is opposed to "transferring the army to civilian management," he solves the difficulty by advocating the transfer of the Indians to the care of the War Department, and the employment by the army of "civilian agents for the peaceful tribes and military agents for the warlike tribes." "There will," he says, "be less hypocrisy and cant" with the latter than with the former. The change would be economical, and the Indians themselves would welcome it, all impressions of the "bloodthirstiness" of the army to the contrary notwithstanding. He does not at all approve the Indian mounted police.

A number of the citizens of Richmond have formed a society to take measures for the maintenance of the credit of Virginia, and they have just issued an instructive address to the people of the State. It begins by stating that, unlike many public debts at the South, their debt represents value received; "every dollar of the money which the State owes was spent in erecting and creating the public improvements, such as railroads, canals, universities, and asylums, which we daily use in the transaction of the business affairs of our life, and without which the State would be little better than an unimproved wilderness." It then goes on to show that the whole interest could be met, and a sinking fund provided for which would in a few years extinguish the debt, while the expenses of the government and the public schools need not be decreased, by the imposition of an additional tax of twenty cents on every hundred dollars' worth of property. It rehearses the injury to public and private interests already brought upon the State by its tendency toward repudiation, and finally urges the formation of similar clubs throughout the State which shall work in connection with the central club at Richmond for a thorough canvass of the State, distribution of documents and pamphlets, and the formation of an active party on this single issue for the choice of members of the Legislature a year hence. The address is signed by the most respectable men of Richmond, and, whether the plan succeeds or not, it seems certain that a strong and intelligently directed fight will be made for honesty. Meanwhile it affords an excellent example for the people of Tennessee.

Some weeks ago Governor Hampton, of South Carolina, was thrown from a mule in hunting, and had his leg badly broken in two places, and was carried home, and has ever since been under medical treatment. There never has been any doubt cast on the story, and he is residing in Columbia, the State capital, under everybody's eyes. The *New York Times* itself has published accounts of the accident and of his condition since the accident as part of the news of the day. On Saturday, however, it printed a "special despatch" from Washington, quoting the following from "a letter from a well-known gentleman" of Charleston:

"It is rumored here that the story of the mule throwing Wade Hampton and breaking his leg is all a hoax; that Hampton is badly scared at the unexpected results of the frauds, and that, in order to save himself from signing the fraudulent certificates of election for the numerous successful candidates, he has practised this fresh fraud, and turned the duties of his office over to Simpson, who can stomach anything. If this is so, it will not be the first time that Hampton has cheated the public."

This is by itself sufficiently silly, but the *Times* takes the "rumor here" from "the letter of the well-known gentleman," and in the head-lines converts it into a positive fact, as "Wade Hampton's

Mule-Fraud—The Mule Story a Cheat—Hampton Evading the Responsibility of Signing the Fraudulent Election Certificates." This is not a bad sample of the spirit of mischief and unscrupulousness in which many Republican papers even of the best standing treat this most serious problem.

There was a flurry in the gold market during the week. The price had stood for a long time at 100½; it was suddenly advanced to 100½. No reason for the rise was given further than that it suited the purposes of a few speculators to make it. The discouraging part of the business is that it is possible within a month of resumption for any one to create a difference between gold and paper that would be sufficient if made after resumption to create serious trouble. The Philadelphia Clearing-house declined to follow the New York banks so far as the action of the latter relates to the silver dollar. The reasoning of the Philadelphians is that immediate action is unnecessary, and that there is no use in infuriating the bull by shaking the red rag at him. Baltimore took the same cautious view. As the transactions at the Clearing-houses of both these cities together are not one-tenth of those at the New York Clearing-house it is, perhaps, not a very important matter whether they follow the New York banks closely or at a distance. Silver stood at 50½d. to 50¾d. per ounce in London during the week, and the bullion value of the 412½-grain dollar here was as nearly as possible 85½ cents gold.

In England there has been nothing very new since Lord Beaconsfield's speech at the Lord Mayor's dinner, which had been long waited for and was expected to throw some light on the situation. It, however, contained nothing remarkable beyond the assurance that the Treaty of Berlin would be executed both in spirit and letter, and since then assurances to this effect have been received from the Emperor of Russia; but this, of course, does not prevent Prince Labanoff's again warning the Porte that Russia will not evacuate Adrianople and the territory of Turkey south of the Province of Eastern Rumelia until a definitive treaty of peace is concluded between the two late belligerents. Lord Beaconsfield was very severe on the "anonymous paragraph writers" who have of late been predicting the failure of the Treaty of Berlin, and reminded his audience that the world is governed not by such people but "by sovereigns and statesmen." He has lately set up a most amusing scorn for mere rhetoricians, he himself being the head of the tribe, and pretends to look down on this score on Mr. Gladstone, who is really the foremost living legislator and financier. There have been fresh rumors of a dissolution of Parliament, but this is not the time to dissolve, and the report has been contradicted. A fierce discussion is raging over the justifiableness of the war with Afghanistan, the only weighty champion of the Ministry being Sir James Stephen. Most of the prominent Indian statesmen now in England, such as Lords Lawrence and Northbrook, the two recent Governors-General, take the other side. But proving the unjustifiableness of a war which has actually begun is in every country unprofitable work for a politician.

The reports from the seat of war in Afghanistan indicate a near cessation of active operations, unless in the rear of the advancing columns. In the Khybar Pass it has been asserted and denied that the road below Ali-Musjid was blocked by Afridis, one of the mountain tribes; that a convoy from Jamrud could not proceed in consequence; that a signalling party was attacked with loss, etc. The rumors in regard to the strengthening and the desertion of Jalalabad have been equally contradictory, but no progress appears to have been made by General Browne beyond Dakka, and here, it is said, he expects to winter. General Roberts has peaceably occupied another fort in the Kurram Pass, but the garrison, having fled to Peiwar, at the north end of the valley, successfully resisted an attempt of three regiments to turn the position on Saturday, and fighting was reported again on Monday. From General Biddulph come laments for the loss of his camels, and predictions that he will stay at Pishin till spring.

THE BANKS AND THE SILVER MANIA.

THE articles of the Western papers on the proposed course of the New York banks with regard to silver, and the popular indignation it is said to have aroused in some parts of the West and Southwest, afford another useful illustration of the mischief wrought by the spread of the notion that the Government has the power to make money as well as coin it. For it must not be supposed that this notion has no place in the silver movement. The truth is that it is at the bottom of it. The genuine silver-man does not ask for the coinage of silver because he thinks it a good measure of value, any more than the genuine greenbacker asks for greenbacks because he thinks printed paper a good measure of value. What he aims at is some kind of money that debtors are likely to be able to get easily to pay their debts in, and he is only prevented from asking for copper or iron money because the inconvenience of such a material is too palpable. His fundamental principle is that the money-coinage power of the Government is not the discharge of a ministerial function like the creation of a standard quart, but a discretionary power, to be used for the relief of people in distress. In other words, the money question is, through the late agitation, regarded by a considerable portion of the people not as a business question, to be settled on business principles, but as a philanthropic question, to be settled by considerations of pity or charity; and for a good while before the late election the two parties were competing not to see which should supply the people with the steadiest currency, but which should supply the kindest and most affectionate currency, which would stay by the poor man without regard to the balance of trade. Of course every American engaged in trade knows that the introduction of such considerations into his own affairs would soon ruin him and injure everybody who trusted him, and he would treat anybody doing business on the benevolent plan as either a fool or a knave. Inasmuch as nearly every American is engaged in trade, and has an unusual capacity for it, the growth of an agitation in favor of compelling people to do business on this plan must be set down as one of the most remarkable psychological phenomena of our time. One cannot cover with this excuse, however, the sermons of the leading silver and greenback newspapers, and especially those of great commercial cities like Chicago and Cincinnati. These preachers are not so simple-minded as their hearers, and cannot keep the twinkle out of their eye when they are proclaiming the virtues of the elastic yard and the compressible quart pot.

The application to the banks of the state of mind which the currency delusion has produced is curious and interesting. Banks are purely commercial undertakings, in which benevolence and philanthropy have absolutely no place. A banker may be a benevolent man, but a benevolent banker is almost a contradiction in terms. His business is to receive money on deposit, keep it safely, and lend it, with as much more of his own as he pleases to add to it, for the market rate of interest, not to the deserving or the needy, but to those who he thinks will surely repay it on the appointed day. If he receives or lends money with an eye to anything but profit and security he is a bad banker, and is sure to end by going out of the banking business in sorrow or disgrace. He may have strong opinions about the relations of the Government to the currency, and about the conditions of good currency; but it is no part of his duty to promote any particular theory of currency by his manner of banking. On the contrary, his duty is, in whatever country he may be established, to take the currency supplied to him by the Government and conduct his business in such fashion that, whether it be good or bad, steady or fluctuating, he shall be able to give his depositors back the true value of what he has received from them, and obtain from his debtors the true value of what he has lent them. His mode of doing this is his own affair. In selecting the mode he will show his sagacity, or the reverse, and, as in all other business, his success will depend on his skill in selecting. But the public has no more concern with it than with the manner in which Mr. Halstead and Mr. Medill organize their respective publishing offices. Public excitement lest cer-

tain bankers should not select the right method, or should select a disagreeable or unkind method, is therefore almost ludicrous.

The situation with which the bankers are now called on to deal may be described thus: The Government proposes after the 1st of January next—whether wisely or unwisely is something with which the banker *quâ* banker has nothing to do—to present the country with three legal tenders, gold, silver, and greenbacks. They are not now, and are not likely to be, of equal value for the purposes of foreign exchange, to which a banker has always to look; they are almost certain to become before long unequal in value for the purposes of domestic exchange also. In putting them all on a par by law the Government gives everybody the option as to which he will use in his dealings. In fact, the existence of this option is something the silver-men profess to value very highly. Every banker must, therefore, decide before the 1st of January in what manner he must conduct his business in order to prevent persons who deal with him as depositors or borrowers from exercising this option to his damage; that is, he must take measures to ensure his getting back the value of what he gave, and to ensure his not being compelled to give back greater value than he received—and by value he means not what political conventions say is value, but what he finds to be value in the market. He must decide, for instance, in what manner he shall prevent a man from depositing with him a dollar which is worth only eighty-five cents, and then demanding from him a dollar worth one hundred cents. He must decide, too, which of the three legal tenders he will keep his accounts in and use as the test of the condition of his affairs, or, in other words, as his measure in valuing his assets; and he will naturally choose the steadiest. In all these matters, too, his discretion is unlimited. The Government has no more to say about it than about the management of the wool business. A banker can refuse to receive a man's deposits and give no reason. He can refuse to discount his note and give no reason. He can make any agreement he pleases with a customer as to the kind of money he shall deposit and as to the time and manner of its withdrawal, and his duty is to be governed in all these matters solely by his judgment as to what will be safest and most profitable for his stockholders and dealers. The notion which has spread at the West, that if he refuses to deal in one of the legal tenders because he considers it too fluctuating to be safe, he is violating the law or "setting the people at defiance," is, considering the character of the community from which it comes, a strange and somewhat startling delusion.

It may be said, however, that the banks, being chartered by the Government and being indebted to the Government for the privilege of issuing notes, are bound to permit interference, and to defer to the public opinion which makes the laws, in the management of their business. This theory of the consequences of a charter first found expression in the Granger attack on the Western railroads three years ago. It was then gravely laid down by the agitators, and the doctrine was actually embodied in legislation, that the State had absolute power over the property of a corporation created by it, so that it could compel a railroad company to carry freight or passengers for nothing, or convert the line from a commercial into a philanthropic enterprise. The truth is, however, that what is called a "corporation" is simply a mode provided by the State to enable several individuals to club their money in a common undertaking, with limited liability in case of failure; that is, it is a means of facilitating commercial ventures supposed to be useful to the community. It is not a means of giving the State absolute control over the property which the stockholders put into the common treasury; nor does the charter impose any obligations on the company *except those which it specifies*. The corporation is legally and morally bound to conduct its business under the conditions laid down by the law under which it is organized, but it is not legally or morally bound to conduct its business in accordance with new views on finance, or any other subject, which may appear in the newspapers or find a lodgment in the brains of members of Congress after it has gone into operation; and to attack it by fresh legislation for not

doing so would be a gross breach of faith. It is all but certain that no man competent to do banking business would have organized a bank under a law which deprived him of discretion in the matter of receiving deposits. There is no mention in the national banking law of any such interference. There is no suggestion that there would be thereafter two legal tenders of unequal value in the market, which the banks would be compelled to treat as if they were of equal value. The law regulates the issue of notes and the amount of the capital, prescribes some of the duties of the officers, and limits the amount of interest to be charged on loans other than discounts. But the banks are authorized to carry on an ordinary banking business in the ordinary way "by discounting and negotiating promissory notes, drafts, bills of exchange, and other evidences of debt; by receiving deposits; by buying and selling exchange, coin, and bullion; by loaning money on personal security; by obtaining and issuing notes," etc. They are not *directed* or *required* to carry on all or any of these branches of the business. They may refuse any of them they please. Of course everybody who opens his mouth in public or puts pen to paper on this subject ought to know these things, and yet so great is the tendency to mania about money that we find in the *Penn Monthly*, a Philadelphia magazine of considerable standing and pretensions, a deliberate proposal that Congress should pass a joint resolution revoking the charters of such banks as refuse "to obey the law by which they are required to receive and pay out the silver dollar on terms precisely similar to those under which they have heretofore received and paid out the other legal-tender money of the country." There is no such law. The proposal is based on pure hallucination, like most of the plans of the silver-men.

We shall have something to say next week, probably, about the gross exaggerations which are current as to the value of the privileges enjoyed by the banks and as to the profits of their business. The Comptroller's report tells a curious story on these points, which is worth study by the sane.

THE SUGAR QUESTION.

MR. WOOD'S recent investigation into the management of our customs service has so far mainly resulted in directing public attention to the sugar question. It has brought out all sorts of denunciations of our sugar-refiners and importers, which have filled some of our papers with an angry controversy that must have proved confusing rather than enlightening to the public. In approaching this vexed question we do not pretend to solve its complicated problems, but we propose to assist in bringing them within the limits of intelligent and profitable discussion. In order to do this it will be well to draw the attention of our readers to the prominent facts and assertions brought out by Mr. Wood's investigation, which we class under the following three heads, viz.:

1. The defects and injustice of the present system of assessing duties on imported sugar, and the necessity of a change in that system.

2. The assertion of extensive frauds upon the revenue by procuring false classification and weights, and by adulterating sugars sold for export and entitled to a drawback fixed in proportion to the duty paid on the raw sugars.

3. The alleged existence of a widespread practice of adulteration in our refineries.

Contrary to the course followed by our daily press, we maintain that the above states the points involved in the order of their importance, in which we, therefore, propose to consider them.

1. *Assessment of Duty.*—It will be remembered that our present tariff imposes on refining sugars below No. 16 duties ranging from 1½ to 2½ cents per pound, with the addition of 25 per cent., the scale being graduated according to the color of the sugar, as measured by the Dutch standard. This system of graduated duties has been in practice since December, 1861. It formed a tolerably safe and satisfactory basis for the assessment of the high duties levied since that date as long as importations consisted exclusively of clayed

sugars and muscovadoes, which then were in all markets valued by the standard of color. Since the introduction of that system, however, the improvements made in the machinery for sugar-making, and partly, no doubt, also the classification for duties in our markets itself, have led to large and increasing importations of a third class of sugars, centrifugal and beet-root, the intrinsic value of which is not indicated by their color. Certain kinds of Muscovado sugar, also, are brought in of a color far below their actual strength. Neither of these classes of importation can be called fraudulent, but they undoubtedly vitiate our present rules for assessing graduated duties, and render the adoption of a more appropriate system a necessity.

This portion of the sugar question has been agitated for years, more particularly during the last session of Congress, while there was a prospect of embodying a better system in a new and general tariff bill. Numerous conferences between refiners and importers were held at this port and elsewhere; but, owing to the unavoidable conflict of different interests, they failed to unite upon any distinct plan, and the result was that Mr. Wood's bill proposed to settle the matter in a way not satisfactory to either of the great interests concerned, by graduating duties by the color standard and the polarization test combined, thus rendering the assessment of duties exceedingly complicated. A solution of the difficulty certainly should be sought by a simpler measure, and if our refiners and importers really wish to be relieved of their present embarrassment, they should be able to unite upon a plan and force it upon the attention of Congress by a concerted effort. In such case, we venture to say, the choice will be found to lie between three systems, which we shall characterize as follows:

1. The adoption of the polariscope test as the sole basis for the graduation of duties, the scale rising either with every degree of strength or with every five degrees. A duty so graduated would be all but equivalent to an ad-valorem duty on a home valuation. It would be equally just to the importer, the refiner, and the consumer. It would not exclude from our market any kind of sugar. The adoption of this system, therefore, should be satisfactory to all, provided the test is reliable and is not more liable to encourage fraud than another system. On these important points there seems, however, to be great room for doubt. The importance of correct samples would, under such a system, not be diminished, but rather increased. The color of sugars can be judged of by any ordinary appraiser, but the making of a reliable polariscope test requires uncommon skill and experience; it cannot be controlled by the appraiser; the chemist's decision will be paramount, and if appealed from, delay and vexation will arise. Tests made by different chemists are known to vary sometimes considerably, in Europe as well as here. Altogether, we fear that applied to this purpose the polariscope will prove too delicate a test, that it will create new difficulties and increase rather than diminish the temptation to fraud.

2. Another plausible plan proposes a uniform specific duty on all refining sugars, which would have the advantage of doing away with a great deal of uncertainty, dispute, and temptation to fraud. Such a uniform duty was imposed for a few months by the Morrill tariff of March, 1861, and it might possibly have worked well for a longer time, as the rate then imposed was only 4c. per pound. Now, in order to produce the present amount of revenue of about thirty-seven millions, which, we are told, is indispensable, the rate could not be placed much below 2½c. Even at 2c. a uniform duty would necessarily discriminate in favor of high-grade sugars to such a degree as to create a revolution in the course of trade, and would threaten the existence of our refining interest by driving the greater portion of the manufacturing process to Cuba and other places, and leaving to our refiners nothing to do but to give to imported sugars the last touch that will be required to turn them into refined sugars.

Grossly suicidal as such a policy would be, it would not even benefit our consumers. Aside from the fact that at this day sugars can nowhere be refined at less cost than in the United States, the double process through which such sugars would be forced to go

would necessarily increase their cost to the American consumer, while at the same time such a policy would tend to cheapen all low-grade sugars, of which many cannot be improved, to the refiners and consumers of other countries.

3. There remains a third plan, namely, the adoption of a uniform ad-valorem duty, such as was imposed by the tariffs of 1846 and 1857, when the rate was thirty and twenty-four per cent. respectively. And here we must note the singular fact that such a duty does not appear to have been thought of by our refiners and importers. In explanation of this silence on their part, we have been told of another circumstance worth mentioning, which is, that at this day there is hardly a single active refiner in the country whose personal experience reaches back to the time before the war, and to the time of ad-valorem duties. We are convinced that the system of ad-valorem duties, on raw materials at least, has been unduly discredited since the introduction of our war-tariffs, and that it not only is more just and equitable to all concerned, but is also safer for the revenue and works more smoothly than that of specific duties. Though such a duty, in order to produce the present amount of revenue, may have to be placed at 50 per cent. or over, serious undervaluations cannot easily be perpetrated without being detected. For this the appraiser has abundant means at hand, as every one acquainted with the Custom-house knows. There will be no objection to his adding to these means the polariscope, if he suspects and desires to verify an undervaluation; but to use the polariscope for establishing the *prima-facie* dutiable value will be found infinitely more troublesome and vexatious, and certainly not safer, than to take the invoice and market value for that purpose. Until some one shall invent a scheme that will positively exclude opportunities for fraud, we are inclined to believe that an ordinary ad-valorem duty will prove the most equitable and the simplest duty that can be imposed.

We regret to see that the Secretary of the Treasury in his report to Congress points to a uniform duty on refining sugars, or to a combination of the color and polariscope test, as the most desirable solution of the difficulty; we nevertheless hope that Congress will find a less complicated and a safer way out of the present difficulties, and not defer granting the much-needed relief to another session.

II. *Frauds upon the Revenue.*—If certain witnesses at Mr. Wood's investigation were to be trusted, we should be bound to believe that the Government has annually been defrauded out of millions of revenue by our importers, and more particularly by our importing refiners; and that single firms have profited hundreds of thousands by practices that could not have been successful except by heavy bribery and collusion with numerous Government employees. Before any of our readers believe in the truth of these sweeping insinuations, we advise them to study the testimony of the head appraiser, who has therein shown himself tolerably well conversant with the duties of his department in this particular, and who positively denies the existence and the possibility of any such extensive frauds. We advise them, further, to consider the character of the great majority of houses engaged in this important business, and to ask themselves the question, whether merchants notoriously commanding the largest capital, and with this capital constantly within the reach of the Government, are likely to stoop to continued bribery, without which such frauds could not be committed? When they consider that these charges proceed exclusively from broken-down sugar-refiners, that they are all general and not one of them is specific, they will probably come to the conclusion that they are at best gross exaggerations and not deserving of credit.

III. *Adulteration of Refined Sugars.*—The closing remarks of the last paragraph apply with equal force to the charges of adulteration which the same parties have thrown in the face of our refiners, and upon which such an angry controversy has sprung up in our papers. Little, if anything, has thus far been proved to an impartial observer beyond the fact that by the modern process of refining the same raw sugars are made to yield different qualities of refined sugars, the lowest of which, formerly absorbed by the syrup, contains less crystallized sugar than the raw material from which it was

made, and therefore can be sold for less, just as well as the syrup could before.

The presence in refined sugars of any deleterious chemicals used in the process of refining remains to be established, and the charge of adulterating refined sugars—in particular sugars sold for export and entitled to drawback—with glucose made from corn-starch is not proved. That this substance is largely used for the adulteration, if it can be so called, of sugar-house syrup, is not disputed, but whether such adulteration is practised by all our sugar-refiners, who alone are charged with it, and not mainly by other parties, remains an open question, nor has it been proved that such adulteration is injurious to the health of the consumer. The public will do well not to be frightened by exaggerations of this kind, and unless better proofs of these charges are furnished, the parties who have brought them forward, and who have so eagerly spread them, will not escape the condemnation that awaits slanderers.

THE LAST OF THE WICKED-PARTNER THEORY.

WRITING in 1876, shortly before the Presidential election, on the comparative merits and demerits of the two Presidential candidates, we spoke as follows of one of the possible advantages of Mr. Tilden's experience and reputation as a dexterous and by no means simple-minded manager:

"He would have, finally, one quality which we have during the last eight or twelve years so often longed for in the President—perfect ability to protect himself against sharpers and intriguers, and therefore perfect ability to bear the responsibilities of his position. There is, of course, a bad side to this, which we need not point out. But it would be for the country a great gain and a new sensation to have at the head of the Government a man who understood a fraud, or villanous scheme, or 'little game,' or 'deep-laid plot' when he saw it; whose mind could not be 'poisoned,' or who could not be 'got round' by every poor adventurer who obtained admission to his house, or who, when a bill was laid before him for approval, would need no coaching from 'managers' or 'Administration Senators' to enable him to know how to deal with it. It is quite certain that if Tilden is elected, no speculator or wirepuller will ever go to the White House with the expectation of finding the President off his guard or unprepared for him, or unable to see what he is after; and the public will never need to condone the President's complicity in a job or swindle on the ground of simplicity, or because 'the old man got mad' or 'had his mind poisoned.' We shall know whom to blame for corruption in the Executive department."

We did not then suppose, of course, that our prediction would be verified so soon, and be verified in the precise way in which it has been verified; but it has turned out curiously correct. Mr. Tilden proves to have been surrounded by "poor adventurers" not only before he was elected, but while his canvass was still pending, and it turns out that a "fraud or villanous scheme" of a peculiarly dangerous character was concocted in and carried on from his own house, ostensibly in his interest, and by persons holding a high place in his confidence, and rightfully entitled to represent him. On the discovery and proof of these things he promptly put in the plea of "Wicked Partnership," and had much reason to infer from his observation of public opinion during the last ten years that it would be sufficient to exonerate him. During General Grant's Administration several cases occurred in which operations of a still more criminal character than those revealed by the cipher telegrams—because they had not even the poor excuse of "politics"—were either carried on from the White House, or were carried on with the complicity of persons living in or frequenting the White House and enjoying the President's intimate friendship. The close connection of these persons with him, and his liking for them, and his refusal to believe evidence against them which was satisfactory to everybody else, and which was rousing the indignation of the whole country, were among the notorious facts of the day. Not only did he refuse to believe this evidence, but in some instances he pursued with an appearance of vindictiveness the officers who ventured to furnish it; and it became one of the boasts of his inner circle of intimates that they were never so safe in their places and emoluments as when the press was busiest in exposing their rascality.

The scandals were so great and permeated the White House so thoroughly that many even of the President's warmest friends were only able to save him in their estimation by throwing their mental apparatus out of gear—like the witty lawyer who, as one tale after another of the doings of "Administration circles" came in, declared that "he had lost all faith in circumstantial evidence, for he still believed General Grant to be an honest man." There could not, in short, have been a severer trial than that to which the Wicked-Partner theory was exposed under the Grant Administration then, and it stood it perfectly, at least with a large portion of his own party. It seemed to show that a man who had previously borne a fair reputation himself could, as long as money was not actually traced into his pockets, or documents were not discovered in his handwriting, remain in close association with persons of the worst character and incur no greater damage in the process than earning a reputation for extreme simplicity. It is quite true that the larger number of Republicans were satisfied before the General retired from office that a person of such exceeding blindness and capable of such devoted attachment to his friends, whatever their faults, was hardly fit to be charged with the highest executive office of a great government; but the general course of the party towards the President was undoubtedly calculated to elevate the Wicked-Partner plan in the popular mind and familiarize politicians with its use.

It was tried at the same period in New York—with less success, it is true, because the circumstances were much less favorable—by Mr. Oakley Hall, the then Mayor of the city. He was for several years a member of the Tweed Ring, in intimate intercourse, both official and social, with the leaders, voted what they asked him to vote and signed what they gave him to sign, while they were stealing \$6,000,000 and spending it in vulgar debauchery. Nevertheless, when they were found out in 1870 he declared his entire ignorance of their doings, but at the same time refrained from any condemnation of them. A similar case has since then occurred in South Carolina, the late Governor of which, Mr. Chamberlain, a shrewd and able lawyer, served as Attorney-General of the State in close official association, at least, with a band of adventurers of the coarsest type, while they were robbing the State of about \$20,000,000 by the clumsiest frauds, which they took no pains to disguise. When they were discovered and exposed, he too promptly repudiated them as Wicked Partners, of whose culpable acts he knew nothing, and his plea has been accepted by at least a portion, but a very respectable one, of the Republican party. It must be remembered that in all these cases the plea has been put forward not by shy recluses, or pious missionaries, or fine gentlemen who have only seen the world from their library windows, but by lawyers, soldiers, and politicians, thoroughly familiar with the rough and dark side of American life, and with those weaknesses of human nature on which American life acts most powerfully.

It was, perhaps, not unnatural for Mr. Tilden to suppose that he too would get the benefit of this abounding charity, and that even if his own relatives were detected in carrying on negotiations for the purchase of the Presidency for his benefit under his own roof, he would but need to bury his face in his hands, weep, and ask plaintively, "Whom should he trust now?" and declare that he had neither art nor part in this reprehensible transaction, in order to put himself right with the public. Nor was the fact that when General Grant went out of office his Administration had few or no defenders, except the Senatorial Group, a sufficient warning to him, because he has seen that in the two years which have since elapsed a considerable body of Republicans, in the presence of growing evidences of corruption and disorder, have begun to turn for salvation to the most easily deceived man, and the man most trustful and kind to depraved adherents, that has ever occupied a high political position in the United States. We can readily believe, therefore, that Mr. Tilden said to himself, "Since Grant has not suffered from Babcock, and Robeson, and Shepherd, and Belknap, and Murtagh, and 'the whiskey thieves,' and the 'safe-burglars,' and the 'Indian traders,' I shall certainly not suffer from Pelton, and 'Moses,'

and Weed, and the rest of the 'coparceners.' I shall simply say, on my honor, that I knew nothing of what they were doing, and that, bad as it was at worst, the other side was doing something just as bad."

We are glad to say, however, that, whether honestly put forward or not, the plea has not succeeded. His experience as a manager and as an observer of human nature under a great variety of circumstances, and his mode of doing business and of protecting himself against the consequences of human folly and weakness, were too well known to make it possible for him to escape the responsibility of the telegraphic negotiations. People have very naturally said that if he was not wily and shrewd and watchful he was nothing, and it is not only the Republicans who have taken this view. It is greatly to the credit of Mr. Tilden's own party that they have taken it too. He has become an impossible candidate for them. They do not venture to produce him in the character of a Good Man who "means well" but "has made mistakes, as who has not?" and has been deceived and betrayed by designing persons. His political prospects have been wrecked utterly, either by being too good or too bad; in other words, he has performed the *reductio ad absurdum* on the Wicked-Partner theory as applied to public life. When a man of Mr. Tilden's age and experience and peculiar mental traits produced it, while a candidate for an office requiring the highest perspicacity as well as the highest integrity, its futility was made plain to thousands who never saw its futility before. Those who have watched the way in which the theory has for some years past been destroying the last remnants of responsibility in official life will acknowledge that this is an immense gain. The larger and more unwieldy the Governmental machine grows, and the further its chief officers are removed from popular observation, the more necessary to purity of administration and thorough accountability does the good old rule, *Noscitur a sociis*, become. Under the Grant régime the doctrine that it was no part of a President's duty to keep good company or to apply to his friends the rules of prudence which govern men in private stations was fast becoming embodied, like the "spoils" doctrine in the civil service, in the rough code of usage by which plain people judge the conduct of public men. Mr. Tilden, in illustrating its flimsiness, has wittingly or unwittingly rendered the country a great service.

DE BROGLIE'S 'SECRET DU ROI.'

PARIS, November 14, 1878.

LETTERS have at all times been the consolation of disappointed statesmen. Mr. Gladstone returns to the Homeric world as soon as he gets out of office; the Duc de Broglie is imitating the example given by so many before him. He suffered at the end of last year the most terrible defeat; though he did not initiate what was called the 16th of May, he had become the head of the Conservative movement, and he had to give way before the will of universal suffrage. He is, at least apparently, now as far removed from office as he was in the days of Napoleon III., when he was in the hopeless phalanx of the French Liberals. He is not one of those gloomy men who weep and wail like Jeremiah when they cannot be satisfied in their ambitions; as soon as his party was defeated and he had left office he returned quietly to his books. He looked over his manuscripts and his family papers, and after the lapse of a year he offers the public two volumes which bear the taking title of 'Le Secret du Roi.'

We are informed in the preface that this work was begun a little before 1870; it has often been interrupted since. A few chapters were read before the French Academy, in its private sittings, or published in the *Revue des Deux Mondes*. What was the king's secret? Louis XV. has come down to posterity as the type of the indolent king, of a sybarite who was quietly awaiting among his courtiers and mistresses the "déluge" which he had prophesied. There was something, however, left in him of the activity and regularity of Louis XIV. Not only did he take cognizance of the diplomatic despatches, the work of the Duc de Broglie proves that he had his own diplomatic correspondence, his own secret agents, unknown to the ministers. "I had often," says the Duc de Broglie, "in my youth heard conversations about my great-uncle and his secret relations with Louis XV., and I felt almost sure, from some notes found in the papers of my father, that his correspondence with the king existed

in the archives of the Foreign Office. I thought of verifying the fact, and I succeeded in it, not without difficulty." It certainly seems strange that Louis XV. took the trouble to conceal the better part of himself, his profound interest in the diplomatic affairs of Europe. "It was under the triple seal of a cipher correspondence that he showed what was left in his heart of sentiments worthy of the throne, and of desires for the public welfare."

Poland was the chief object of the secret diplomacy of Louis XV. The first mission of his secret agents consisted in trying to prepare the nomination of a French prince to the throne of Poland; and when this project was abandoned the king still tried to save that unfortunate country from the ambition of its neighbors. The peace of Aix-la-Chapelle in 1748, which put an end to the war of succession in Austria, is thus judged by Voltaire in his "Siècle de Louis XIV.":

"After this peace the Christian part of Europe remained divided into two great parties which counterbalanced each other. The states of the Empress, Queen of Hungary, a part of Germany, Russia, England, Holland, Savoy comprised one of these factions; the other was formed by France, Spain, the Two Sicilies, Prussia, and Sweden. All the Powers remained in arms, as the hope of a durable peace was founded upon the fear which each half of Europe inspired in the other."

Poland is not mentioned in this last. Poland stood between the two parties, and threatened at the same time Russia, Prussia, and Austria. Unfortunately the condition of the country was such that she could have no traditional diplomacy. The throne was elective, the nobility was torn into many factions, and the foreign ambassadors were forced, against all the rules of the law of nations, to join these factions in order to have any influence. In the sixteenth century the Duc d'Anjou (afterwards Henri III.), placed on the throne by a faction, had to run away and return to France. The Prince de Conti, who was the candidate of Louis XIV., could not even arrive in Poland. The father of the wife of Louis XV., Stanislas Leszczynski, was obliged to run away in disguise, and to leave the place to Augustus III., elector of Saxony. The health of Augustus declining fast, Louis XV. made an effort to put on the throne the Prince de Conti, who was a good soldier, an eloquent orator, and who lived at the Temple, where his *salon* was presided over by the charming Comtesse de Boufflers. "The poor prince," says the Duc de Broglie, "suffered from the feeling that he shone everywhere without being the first. His rank was high but secondary, his faculties were distinguished, but were not of the first order." He was, in short, an "amateur" in everything. When some Polish princes came secretly to offer him the throne, he persuaded Louis XV. to enter into these views. It was not easy; Saxony was then represented in France by the famous Maurice de Saxe, the hero of Fontenoy. Poland was not popular with the ministers. Louis XV. did not confide the Conti plan to the Marquis d'Argenson, his minister of foreign affairs, who was very hostile to Poland. He undertook to enter himself into the adventure, as he would have done in any private intrigue. Secret agents were named for Sweden, for Constantinople, for Berlin; they kept all the threads of the Polish succession in their hands. In 1752 Conti asked Louis XV. to send to Warsaw one of his friends of the Temple, the Comte de Broglie, second son of the Maréchal de Broglie.

The Comte de Broglie was then thirty-two years old; he had served in the army and held the rank of a general. He was named ambassador. "He is," writes the Marquis d'Argenson, "a short little man, with his head up like a cock. He is irascible; has some wit and much vivacity in everything." Eight days after his nomination, which was very unexpected, he received an autograph letter from the King in these words: "The Comte de Broglie will believe all the Prince de Conti tells him, and speak of it to no living person." The young Count received the confidences of Conti. He was much frightened; his mission was to make a king, and to make a king without the support of the official diplomacy of his own country. He knew that if he made a false step he would be disavowed. He stopped on his way to pay his respects to the great Frederic, and found King Augustus of Poland at Bialystok, the magnificent residence of Count Branicki. The transition was great from the Temple to a Polish chateau of the eighteenth century. Round Branicki, who was the commander of the forces, was a sort of aristocratic democracy, fifteen hundred gentlemen-in-arms, all equal, all ready to end a quarrel with the sword.

The Duc de Broglie gives a very vivid description of the Polish diets, and explains carefully how the *liberum veto* (that is, the right to annul any decision) was counterbalanced by the *pacta conventa* (that is, by the right which the majority possessed of organizing an armed force to support its annulled decisions). A constitution so absurd in itself had been

only maintained by the patriotism of the nobles and their courage, as well as by the intense devotion of the peasants to their lords. Political life was kept in constant fermentation, and animated the dreary plains, which were constantly crossed by warriors on their swift horses, or in winter by the sledges in which the nobles were seen in their furs, with their caps adorned with diamonds. The great lords, those who had made the journey to France, and their wives were familiar with all the refinements of the first court of Europe. The Comte de Broglie soon felt himself at home at Bialystok. Count Branicki (who had a revenue of 1,200,000 livres) gave entertainments as fine as those of the Duc d'Orléans at St. Cloud. The old Count Branicki, who was the host of his King and of the Comte de Broglie, had just been married to the young and handsome Countess Poniatowska, whose mother was a Czartoryska. At that time the great family of the Czartoryskis was in the Russian interest.

"The Czartoryskis understood that the detestable institutions of Poland would lead their fatherland sooner or later to destruction, and they saw no way to save it but by a revolution which would fortify the monarchical power and restrain the exaggerated prerogatives of the nobility. To expect such a reform from an interior reaction would have been a chimerical hope, for how could the interested parties be induced to abandon voluntarily their prerogatives? They considered it a necessity to have the help of a foreign power. Despairing of the help of France, they decided to lean on Russia, a dangerous ally to be sure; but, inflated by their great patronage and by their immense fortune, the Czartoryskis flattered themselves with the hope of using the influence of Russia and of moderating its ambition at the same time; they thought they could stop the fire after having kindled it."

It is quite certain that Russia was adverse to the idea of the partition of Poland; she was only gradually induced to take her share of the spoils when Prussia and Austria obliged her, so to speak, to do so. But there was no question of partition yet. When the Comte de Broglie arrived in Poland he tried to reconstitute a French party, in the face of the Czartoryskis; he hindered the revolution which was meditated. A young gentleman named Mokronowski, who had become one of his friends, handsome, eloquent, and so strong that he could kill an ox with one blow, entered the tent where the nobles were signing a pact of confederation. He took the parchment, showed that the revolution in the constitution would be soon followed by an invasion, and tore the bond which was to be the instrument of the Czartoryski party.

The Comte de Broglie had an inventive mind; he formed a project which might have saved Poland. He recommended to Louis XV. and to the Prince de Conti a resurrection of Poland on the basis of the offensive and defensive alliance with Saxony. Poland was too weak alone; with Saxony it was strong enough against all parties. Prussia could take Hanover instead of Silesia and Posen. Branicki entered into these views; Turkey was sounded by the Comte de Vergennes, then ambassador at Constantinople, and undertook to co-operate with the Poles as soon as a French prince should become king of Poland. A vulgar intrigue had been metamorphosed into a huge diplomatic plan in the head of our young soldier-diplomat. His activity was boundless; his resources were very small, and he was constantly in need of money in a court which was then perhaps the most extravagant in all Europe. His mind was fertile in expedients; he was ambitious for France more than for himself. He foresaw the remote consequences of the breaking up of Poland. It remains to be seen how his great plan was defeated, not only by the influences of foreign courts, but by the dissensions of the Poles and by the irresolution and weakness of the French government.

MUSIC IN BERLIN.

BERLIN, November 14, 1878.

THE Prussian capital is at present, if not the intellectual centre of the world, as it professes to be, at any rate the paradise of amusement-seekers, and of lovers of good music in particular. This is shown not only by the great number of fixed institutions for constantly supplying the musical epicure with the daintiest morsels, but also by the great number of world-renowned executive musicians who come and go every week. In the course of about three weeks the happy Berliners will have had an opportunity to hear any one or all of the following artists: Dr. Hans von Bülow, Sarasate, Wieniawski, Joachim, Madame Essipoff, Adelina Patti, Wachtel, and several others of minor note. Von Bülow's concert ranks among the musical curiosities of the season. The programme consisted solely of the last five of Beethoven's pianoforte sonatas, and was, therefore, *caviare* for the public, although the musicians enjoyed it immensely; and of course the tickets were all sold a week in advance. The same programme was repeated at Hamburg and other cities, and,

strangest of all, the proceeds are to be devoted to the Bayreuth festival fund. It appears from this that the doctor no longer harbors any ill-will against the great composer for having appropriated his wife. Madame Essipoff, the great interpreter of Chopin, also drew good houses to a mixed and a Chopin concert. She receives better treatment here than she did in America. G. Henschel and I. Brüll, the composer of "Das goldene Kreuz," have also announced a series of vocal and pianoforte recitals.

Of the three great violinists mentioned, one, Joachim, resides in Berlin, being director of the Conservatory of Music. Under his guidance the pupils of the Conservatory recently performed Mendelssohn's "Elijah" in a manner which would have done credit to any professional society. In the same week Stern's Gesangverein produced Mendelssohn's "St. Paul," and the Singacademie Bach's Mass in B minor. Three of the greatest of our choral works in one week! If I am not mistaken the great Mass in B minor has never been performed in America, although it is, in my opinion, more sublime even than the Passion music, if we except the last chorus, which is, perhaps, Bach's greatest effort. A writer in a recent number of the *Atlantic* remarked that Bach is really the most modern of composers, because of the obscurity in which his name and his works have so long been allowed to remain. From this generalization Berlin must be excluded, for more than thirty years ago, when Berlioz wrote those brilliant and witty pages describing his musical travels through Germany, the Bach cultus was so great here as to provoke the sarcastic remark that in Berlin "there is but one God, whose name is Bach, and Mendelssohn is his prophet." Since those days the admiration for Bach has rather increased here than diminished, as is evinced by the enthusiasm with which the Singacademie rendered and the audience received the wonderful Mass, which is perhaps the most difficult of all choral compositions. Every page of it makes one wonder that Bach could have been born almost two centuries ago. In richness and complexity of harmonies it can only be compared to Wagner's later works, and, indeed, there is a much greater affinity between these two composers than is commonly imagined, *pace* those who have not heard Wagner's later works.

Besides the occasional choral concerts and those given by travelling musicians the Berliner has his choice every night between about twenty-five theatres, representing all species of stage-amusements, from "La Belle Hélène" and Punch-and-Judy up to the classical tragedy and the modern music-drama. A day seldom passes without an opportunity to see a comedy or tragedy of Shakspeare; indeed, it is nothing unusual to see two plays of Shakspeare announced for one and the same evening at two rival theatres. Of the opera houses one cultivates French comic opera, a second Italian opera, while the Imperial Opera devotes itself chiefly to the German classical, romantic, and modern schools. An attempt is being made at present to revive some of the earlier operas of Mozart, "Cosi fan Tutte," "Titus," and "Die Entführung"; but this movement is of more importance from an historical than an artistic point of view, as the operas in question cannot be regarded as works of art, except by those who allow their habit of hero-worship to run away with their judgment. They are too much the products of their own time exclusively, and suffer from too many defects to come up to the standard set up by the more critical taste and profounder emotional culture of our period. The only operas of Mozart which have stood and will stand the test of time are "Don Giovanni," "Magic Flute," and "Figaro." At the Italian Opera there has also been a revival, or rather a first performance in this city, of one of Verdi's earlier works, "La Forza del Destino," which has been favorably received by the public, and mildly treated even by those critics whose ferocious attitude towards everything Italian has become proverbial. Perhaps they are becoming mild now because they have won such a complete victory over the admirers of dance-rhythms, abnormal melodies minus harmony, and nonsensical librettos.

The Imperial Opera is open every night, except when the orchestra gives one of its admirable symphony concerts. These take place at intervals of a few weeks, and the same is true of the concerts given by the Symphonie-Capelle, which also assists at the choral concerts. Of the remaining orchestras, the most important is that of Bilse, consisting of seventy well-trained musicians. So far as I am aware, no other city affords its inhabitants the opportunity which Bilse gives the Berliners of hearing a good orchestral concert every evening through the year, excepting a few months in summer. It is true that Bilse's band does not play as well as the Gewandhaus orchestra at Leipzig, as can best be seen in such pieces as the overture to "Midsummer-Night's Dream," or the introduction to "Lohengrin," with its "spider-web harmonies"; but in general this difference is not great enough to be noticed by any but

specialists. It must also be borne in mind that, whereas at the other symphony concerts a good seat costs a dollar, in Bilse's concert-house the general public only pays nineteen cents for a ticket, while students at the Conservatory and the University get their tickets for even less—for twelve cents apiece. The programmes are arranged on a very cosmopolitan basis; and while the old masters receive a good share of attention, Bilse and his audiences appear to be very fond of Wagner, Liszt, Berlioz, and Saint-Saëns. Twice a week the programme includes a symphony of Beethoven, Mendelssohn, Schumann, Rubinstein, Raff, or Brahms, and thus in the course of the winter students have a chance to hear about seventy symphonies for less than ten dollars. This fact should be taken into account by those Americans who come abroad to study music. Among the most interesting compositions recently played were Wagner's "Siegfried-Idyl" and Brahms's Second Symphony, in D. The former is of such exquisite beauty that, had the composer written nothing besides, it would entitle him to a place among the leading musicians. It is a kind of symphonic poem, an imaginative reverie or epitome of the most beautiful passages in the drama "Siegfried," worked up into a new organic whole. Much has been written about the so-called Tenth Symphony. Since Beethoven, perhaps, no important work of the kind has appeared on which this complimentary epithet has not been bestowed by some admirer. I may, therefore, be pardoned if I express my own humble opinion that the real Tenth Symphony is the "Siegfried-Idyl." Certainly neither the first nor the second symphony of Brahms equals it in beauty or importance. The first movement of the new symphony is indeed of striking originality and grandeur. An intensity of feeling pervades it, such as can only proceed from the glowing brain of a genius of the highest order. But the other movements are not so good, even if the third did receive more applause than the first. The public seldom applauds the right thing or at the right place at first, and even at Berlin it is unfortunately true that the volume of the applause which follows an insipid cornet solo is greater than that which is evoked by a Beethoven overture—a fact which must be most grateful to the sense of a pessimist and of those who believe in the constitutional depravity of mankind.

At the first concert given by Wieniawski, a few days ago, an event occurred which deserves to be mentioned, as it may help to neutralize the effect produced on the mind by the constant scandals and quarrels which arise out of the mutual jealousy and envy of musicians, and which on one occasion recorded in the history of music resulted in a public prize-fight on the stage between two *prime donne*. Wieniawski has for some years been suffering from an asthmatic affection, and while playing the first part of his concerto was suddenly so overcome by his illness that he had to leave the stage. A piano solo was substituted for the moment. Later on the violinist appeared again and made another effort, after asking permission to keep his seat while playing; but he was again obliged to stop. At this juncture Prof. Joachim, who was one of the audience, stepped on the stage and, after announcing that his colleague's illness was not of a dangerous nature, took the violin and played Bach's Ciaccona in a most masterly and spirited style. The excitement and enthusiasm of the audience may be imagined.

Correspondence.

A SOUTHERN ECHO.

TO THE EDITOR OF THE NATION:

SIR: In your editorial in No. 698 of the *Nation* in regard to Southern affairs you hit the nail on the head and condense the whole matter in one sentence when you say: "In short, there is but one subject on which the South is 'solid,' and that is misgovernment by an ignorant majority under the forms of law." This statement recalls an incident, which allow me to relate by way of parallel.

A friend of the writer, discussing the situation with a well-to-do colored man, who rented a good-sized farm and employed five or six laborers, said: "Now, Peter, would you be willing to put it to the vote of yourself and employ's whether *you* or Jack [a good-for-nothing fellow on the premises] should have the control of your crop, and, if they out-voted you, give it into his hands to give you such a share as he thought fit?" "No," said Peter; "I'd die first!" "Well," said the other, "that is just the position of the Democrats in this State; they don't intend to allow those who have neither property nor intelligence nor character to get into power again; *they'll die first*." And I may add, could any people

of the Anglo-Saxon race be expected to feel otherwise, or to endure such governors as Moses and such judges as Whippér, *et id omne genus*, if there was any practicable way to prevent it?

The point is also well taken when you suggest that Democrats North and South are not identical. If things and not names be considered, there seems to be more in common between Northern Republicans and Southern Conservative Democrats. Compare, by way of proof, the recent elections in Massachusetts and South Carolina: was not the issue substantially the same? Though no politician, and certainly no Republican, I would venture the opinion that if the Republicans are wise they will cease to antagonize the South, and bury out of sight "the bloody shirt."

A SOUTH CAROLINA SUBSCRIBER.

EASTOVER, S. C., November 21, 1878.

ODIUM MEDICUM.

TO THE EDITOR OF THE NATION:

SIR: In your issue of November 21 (page 317), in speaking of what you are pleased to term the "odium medicum" and its "scurrilous rhetoric," you make a curious mistake in crediting Philadelphia with being the residence of one of the disputants in the singular and by no means creditable warfare on paper which is waging between two prominent medical men. Neither of them, according to Atkinson's 'Physicians and Surgeons of the United States' (in which are lengthy biographies of each), has ever at any time been a resident of Philadelphia, or in any way identified with any of its institutions. The one is a celebrated physiologist, a resident of New York, the other a noted medical man of North Carolina. Of the merits of the case, which is by all odds as disputable as any of those in which either "newspaper men" or "clergymen" or "lawyers" have ever been engaged, I have nothing to say. I write merely to ask you to correct your error.

Very truly yours,

R. B. S.

PHILADELPHIA, November 29, 1878.

[Our error doubtless arose from the fact that we found the account of the controversy in a Philadelphia medical journal.—ED. NATION.]

IS DISCLOSURE OF TELEGRAPHIC DESPATCHES A CRIME?

TO THE EDITOR OF THE NATION:

SIR: It has been held in England and in this country that it is larceny at common law to tap a gas-pipe and to take off gas. Is it not equally larceny at common law to tap a telegraph wire and to extract the telegrams?

It is larceny under the statutes of New York and other States for a bailee, entrusted with valuable things to deliver to another person, to deliver them to a stranger. Is it not larceny under the statute for the officers of a telegraph company knowingly to give messages committed to it to any other person than the sender?

CAMBRIDGE.

Notes.

WE have received from Porter & Coates, Philadelphia, 'The Fireside Encyclopædia of Poetry, comprising the best poems of the most famous writers, English and American,' compiled and edited by Henry T. Coates. It contains selections from above four hundred writers, and is accompanied by full indexes of the titles of poems, authors, and first lines. The poems are arranged under several heads, such as Poems of Love, Personal Poems, Weird and Fantastic Poems, etc., which are by no means mutually exclusive, nor are they always a guide. For example, few would look for "Bingen on the Rhine" under Poems of Labor and Social Questions. The taste of the compiler is very catholic, and he appears to have excluded only that class of poems which, in his own words, "would tend to undermine any one's faith or destroy a single virtuous impulse." Except for its inclusion of American poetry, it cannot compete with 'The Family Library of British Poetry,' recently edited by J. T. Fields and E. P. Whipple. It is accompanied by several illustrations of scenes or characters in the text.—'Castles in the Air,' a story for girls, by Louise R. Upton, is announced by G. P. Putnam's Sons.—

Since our review of Octave Feuillet's 'Journal d'une Femme' was printed we have learned that a translation of this novel is being published in the current issues of the San Francisco *Argonaut*.—Estes & Lauriat have reproduced the Beaconsfield Cartoons of Mr. Punch, by a process called "chemical engraving," which does not recommend itself from these specimens. The cartoons are reduced in size and lose all their sharpness; but the series is brought down to September 21 by the addition of four cartoons. The Germans, too, are having their fun at the expense of the Jingo Prime Minister. An admirably-drawn cartoon in *Schalk* (the new German *Punch*) represents him dressed in full court costume, with the ribbon of the Garter across his breast, standing on tiptoe on a pile of portfolios labelled "Cyprus, Turkish Loan, Suez Shares, London Protocol," and straining eagerly to equal the height of Bismarck. The latter, in his soldier's coat, without any decoration, measures with his hand the height of Beaconsfield, which is about to his shoulder, and says: "You don't quite reach up yet, my dear fellow" (*Es reicht immer noch nicht ganz, Gevatter*).—The growth of the Library of the State Historical Society of Wisconsin continues to be strong and rapid. A second supplementary volume has just been added to its original Catalogue in two volumes. It includes accessions from August 1, 1875, to August 1, 1878, which number some 15,000 and complete a total of 80,000.—The last number of the *Gazette Anecdote* has an interesting notice of a philosophical work left in manuscript by M. Thiers. It was commenced, according to this account, in 1864, and three volumes were apparently completed at the outbreak of the war with Germany. On the fall of Thiers, in 1873, he took up the study of botany and astronomy, which led him to change a part of what he had written. In 1876 he revised and rewrote the whole of the first volume. His appointment as president of the army commission interrupted his literary labors at this point, and they were never resumed. The manuscript has been put by Mme. Thiers into the hands of M. Mignet to edit. It was in reference to this work that Thiers wrote to Mme. Dosne: "If God does not suffer me to enjoy my glory—for this work surpasses all my historical works—you, Élise and Félicité, will enjoy it."—Another volume has recently been published by the French Government of the series entitled 'Collection de documents inédits sur l'histoire de France.' It is an "Étude sur les sarcophages chrétiens antiques de la ville d'Arles," by M. Edmond Le Blant. It is finely illustrated with thirty-six large plates, and is undoubtedly a valuable contribution to Christian archaeology.—A new edition of the 'Divina Commedia' has just been published at Padua by Salmin. It is a volume of five hundred pages, 2 inches long by 1.4 broad, and is said to be printed with the smallest type ever used. A copy was at the Paris Exposition. The largest of the 400 editions of Dante's poem was published in 1809 at Milan, and consisted of three volumes, each 23.2 x 16.—A favorable review of the United States Fine-Art Exhibit at the Exposition, by Paul Lefort, appears in a late issue of the *Gazette des Beaux-Arts*.—B. Westermann & Co. have received the new Athens Atlas compiled at the instance of the Imperial German Archaeologic Institute by Ernst Curtius and J. A. Kaupert. It makes a folio volume of twelve plates, with explanatory text, accompanied with fourteen views. The scholarship of the editors has been supplemented by the topographical supervision of Gen. von Moltke.

—In 1865 Dr. Charles Belot, of Havana, whose experience with yellow fever there extended over twenty years and embraced eighteen epidemics, published, in French, a little work on the nature and treatment of that disease. This, within the year, has been translated by an accomplished layman of Savannah in a pamphlet of fifty pages as a public-spirited contribution to our knowledge. The translation is fluent and accurate, and even were the treatise not plausible in its clinical and therapeutical statements, the enormous experience of the author would invest it with interest. An error of fact as to the afternoon temperature of Havana, a curious and unsupported assertion of the influence of moonlight, and a very strained and distorted use of *les causes miasmatiques paludéennes* weaken, or at least disfigure, the first pages that refer to the causes of the disease. But when Dr. Belot sets forth what he has observed at the bedside and on the dissecting table he speaks with authority. We depart from our practice as to professional books in noticing this monograph, which is published by the *Morning News* Co. of Savannah, because of the grave interest the whole country has in yellow fever at present, and because of the unprofessional but admirable channel through which it attained its English form.

—In the Diary of Samuel Sewall mention is made (December 18, 1685) of the death of "Father [John] Odlin, one of the very first inhabitants of

Boston," and who had, in fact, been a witness of the purchase of the peninsula from William Blaxton or Blackstone half a century before. Blackstone was one of the half-dozen settlers about Boston harbor whom Governor Winthrop found there in June, 1630, and whose connection with any known party of emigrants became so obscured that they have presented a standing puzzle to antiquarians. Theirs seemed, in fact, a "pre-historic settlement," and it was only last summer that Mr. Charles Francis Adams, jr., whose phrase we have just quoted, published the result of researches by which he satisfactorily accounted for Blackstone, Maverick, and Walford. The clue which he ingeniously and successfully followed up was the Episcopal settlement of Wessagusset (now Weymouth) in September, 1623, by a party under Captain Robert Gorges, a younger son of Sir Ferdinando Gorges, who played so prominent a part in the early settlement of Maine. Captain Gorges tired of his adventure and returned to England in the course of a year, together with a portion of his company; his clergyman, the Rev. Mr. Morell, lingered till the spring of 1625. A chance remark of Governor Winthrop's in February, 1631, indicates that weather records had been kept in Boston Bay for seven years previously. This gives February, 1624, as the date of the arrival at the Bay of one or other of the planters. Mr. Adams furnishes the names of some of the remnant of Gorges's settlement, and finds "William Blaxton, clerk," mentioned in connection with one of them as John Gorges's attorney in his attempted transfer of his grant to John Oldham. A remark of Lechford's makes 1625 or 1626 the probable date of his removal from Weymouth to Boston Bay. Like Blackstone, Maverick was an Episcopalian, and his name occurs in a Maine patent granted by Sir Ferdinando Gorges, in conjunction with Blackstone's fellow-attorney, William Jeffrey, of Weymouth. The date of his removal to Noddle's Island is inferred to have been the fall of 1627. In Thomas Walford's case the evidence is less direct and conclusive, but points the same way. He too was probably a Weymouth settler. The other settlers about Boston Bay, over whom no mystery hangs, Mr. Adams also traces. They did not proceed from Weymouth. Mr. Adams's paper will appear in the forthcoming volume of Proceedings of the Massachusetts Historical Society.

—The *International Review* for November contains an article by Dr. Johannes Huber on German Socialism, which is not unworthy of attention on account of the opinions therein expressed, but which is chiefly noticeable by reason of the extraordinary blunders of the translator. The *Review* has been conspicuously unfortunate in Englishing its contributions from the Continent, but we do not recall in its previous issues such botchwork as this. One of the liberal parties in Germany being called the "Fortsschrittspartei," *anglicized* "Progressists," the pages of the article are filled with talk about the "Party of Progress," the "National-Liberals" being thus, by implication, ranked among the Conservatives. Further on we read of a "not yet socialistic but *progressive* [meaning *Progressist*] union." Again, the translator evidently considers the title "Prince of Prussia" synonymous with "Prussian prince," never having heard that it is used exclusively as the title of the heir-presumptive. Sometimes the author is made to say precisely the opposite of what he really must have said; e.g., "the Prussian Government which the National Assembly had dissolved." With regard to Lassalle, we are told, the Government was aware that "if he should be beset with processes [*Prozesse* = trials, indictments] he would turn them into triumphs." Then we have explained to us Marx's theory of "the formation of the great capitals in England," as well as "the great landholding" and "the great industry." Later, in describing a tumultuous meeting, instead of saying that certain persons were driven from or hustled out of the room, we have the German "aus der Thür gesetzt" literally rendered "placed outside the door"; and so on, page after page.

—The history of the Lyceum Theatre in this city has been one of great expectations and great disappointments. It is one of the prettiest and most comfortable theatres in New York, and yet, either because it is too far from the main thoroughfares or because of bad management, or both, it has earned a thoroughly bad name among managers. For the past few weeks, however, it has been redeeming its reputation by an extraordinary hit in Mr. Denman Thompson's "Joshua Whitecomb." The part is one of a kind of which there is now a whole family on the stage. It is difficult to find a name for it—perhaps Degraded Yankee comes as near it as anything. Solon Shingle is the great prototype of the school of which Joshua Whitecomb is the latest type. Mr. William Warren, if we remember right, used to produce a part or two of the kind for the benefit of the Bostonians, but for some reason the stage Yankee has never been enjoyed as much in New England as it has in New York and London. There is cer-

tainly nothing idealized in the part of *Joshua Whitecomb*. He is the good-natured, vulgar, nasal, expectorating Yankee whom every one familiar with New England villages recognizes at once as true to the life. He is, however, of the quick, nervous Yankee type, as distinguished from the slow, drawing character common among deacons and persons in authority. It would go against our conscience to recommend any one to go to see "Joshua Whitecomb," for a more hopelessly vulgar entertainment we have never seen. The vulgarity of the principal personage is, of course, that inherent in the part. But that of the play in which he appears is another thing. So also is that of the actors with whom he acts. It was quite unnecessary to introduce into it any ladies or gentlemen, still less ladies and gentlemen whose ideas of good breeding are derived from the traditions of negro minstrelsy. The low life of the play is, moreover, too heartrending; the little boy and girl, both of whom show a good deal of talent, and the maltreated mother with her drunken husband, form altogether too sombre a background for *Joshua*. He has, however, made a great success and "created" a new type of degraded Yankee, more degraded in some respects than any the stage has hitherto possessed. It is curious, by the way, that the Yankee character, which would, *à priori*, be picked out as thoroughly undramatic, should practically serve the purposes of the theatres so well. But it is always in low comedy that its success lies, so that its want of adaptability to great dramatic situations and character may still properly be lamented by dramatic reformers.

—A minor addition to the musical entertainments of the season has been made by the Tracy-Titus English Opera Company, which has been giving the English version of the "Cloches de Corneville" at the St. James. The opera, though not put on the stage as well as it was last year by the Hess troupe, strikes us, on the whole, as being quite as well sung, and there is a pleasure to be got from good English voices that makes up for the want of dramatic faculty. If people really went to hear comic opera for the music, without regard to the acting, the St. James troupe would be better worth seeing, or rather hearing, than the Ainee company. Miss Lewis and Miss Laura Joyce—to say nothing of the actor who takes the part of the *Marquis*—have both better voices than any two actresses among the French company. In fact, if it was not for the great art with which the French singers manage what voices they have, it would hardly occur to any one that they were worth hearing at all. But that nameless something which is contributed to an opera by the fact that the whole company naturally *act* their parts, is almost wholly wanting even in the best English opera, and particularly in comic opera, where most English performers, while carefully refraining from anything that can offend the moral sense, usually lay themselves out to shock the taste by substituting horse-play for genuine theatrical comedy, and asinine jokes for those little half-confidences to the audience at which French actors (and especially actresses) are so good.

—The John Wilson Croker collection of works relating to the first French Revolution is the subject of an elaborate paper in a recent number of Von Sybel's *Historische Zeitschrift*. The writer, J. Hermann, who has for the past ten years been a student of this and the collections at Berlin and Paris, regards this as in some respects the most remarkable existing. He estimates it to consist of between 20,000 and 30,000 separate publications, books, pamphlets, tracts, fly-leaves, and broadsides, which were arranged by Mr. Croker (they have not as yet been catalogued) under some 200 different divisions, commencing with "Le Collier." Many of these publications are excessively rare, on account of their rigorous suppression at the Restoration, when it was a treasonable offence to possess a copy of certain works. The collection made by M. Deschiens, and now in the National Library at Paris, is larger—there are 32,057 separate titles—but many of these are not originals, and it includes the later literature relating to this period. M. Deschiens published a bibliography of the journals in his collection in 1820, but was obliged to relinquish his plan of printing a complete catalogue on finding that it would reach to twenty-eight or thirty volumes.

—"Studien zur Geschichte der Landfrieden" is a brief treatise by Dr. Odo Eggert, the main object of which is to fix the date of the *Treuga Henrici*, or general peace, proclaimed by King Henry VII. (son of Frederic II.), which he places in the middle of October, 1224. Incidentally two points of general interest are taken up. The first is the connection of the *Landfriede*, as an institution, with the "Truce of God"; the second, a sketch of the successive *Landfrieden* of the eleventh and twelfth centuries, in connection with the disturbances which called them out in each case respectively. This is a valuable summary. The *Treuga Dei*, or

Truce of God, prohibiting private warfare from Wednesday night to Monday morning of each week, having originated in France, appears to have been turned to account by the German emperors of the eleventh century, to confirm their own ordinances. It did not, therefore, Dr. Eggert shows, contain anything essentially new in Germany, but merely made more explicit the provisions of the *Landfriede* in regard to persons and matters, armed them with an ecclesiastical sanction, and especially made them more practicable by the limitation to certain days of the week. From the time of the *Treuga Henrici* this last provision is wanting, and it was the great effort of the fourteenth and fifteenth centuries to convert the *Landfriede*—established usually at the end of some civil war, or in view of a crusade or other enterprise of general moment—into a permanent institution.

BENTHAM.*

THE peculiarity of Bentham's genius lies in the fact that he perceived that legislation was an art, and brought to the art of legislation that kind of inventive talent and resource which is generally applied to the prosecution of scientific discovery, or to the improvement of mechanical inventions. It is this inventive genius which gives importance in his hands to the formula, notoriously adopted by him from other teachers, that the test of right action is the production of the greatest happiness for the greatest number; for, whatever may be said of this doctrine as the foundation of morals, few persons will now doubt that it supplies the only satisfactory test which can be provided of good legislation. And this is the light in which, in fact, it seems to have been mainly regarded by Bentham, for the real aim of his labors was, from his earliest youth to his death, the increase of human happiness by the improvement of legislation. His formula—derived, it is said, from Priestley—provided him with the object at which to aim. His talent for legislative invention showed him how to adapt means to the attainment of his end. If he is regarded as an inventor laboring in the field of legislation for the benefit of mankind, just as a man of science seeks after discoveries which may extend the field of human knowledge, Bentham will, we are convinced, be seen in his true light, and will be acknowledged as the teacher who, beyond all others since the time of Socrates, has conceived of life as an art, and has at least pointed to the way by which the principles of legislation ought to be investigated, and to the mode in which, by the scientific amelioration of law, the amount of human happiness may be increased.

The treatise on the 'Principles of Morals and Legislation,' opportunely republished by the Clarendon Press, may to an intelligent reader convey important hints as to the true nature of Bentham's genius. But nothing short of a reprint in an accessible form of Bowring's 'Memoirs and Correspondence of Bentham,' which is the worst-composed but also one of the most interesting biographies in the English language, will give the ordinary public any conception of the true originality of the man who, alone among modern inventors, applied extraordinary talents to the improvement of legislation and devoted his genius to the service of mankind. Bentham's marked faculty for the adaptation of means to ends, and the fervor with which he pursued his one end—the promotion of the happiness of mankind—are patent on every page of his biography. It was this capacity for adapting means to ends which enabled him to convert what at the hands of other writers, such as Godwin or Helvetius, was a mere barren formula, into a fertile principle. The 'Principles of Morals,' with its infinite number of divisions and sub-divisions, with its strange terms and its crabbed style, may strike a superficial reader as a dreary essay on the logic of law. But if the book be read with intelligence it will be seen to be an extraordinary and most successful effort to work out into detail the principles of sound legislation.

Let any one, for instance, who doubts this read the chapter on "Cases unmeet for Punishment," and then candidly consider whether Bentham has not really elaborated the principles which govern the topic with which he is dealing. And let the reader at the same time remember that this was the work of a comparatively young man dealing with an unexplored field of speculation. Even the least admiring critic must admit that Bentham is entirely free from the defect too commonly found even in considerable thinkers, of laying down general principles without any power to follow out their results. This is the more remarkable because a belief in the magic of sonorous maxims was the crying fault of his age. The French National Assembly wasted so much energy on enunciating the rights of man that they had none left to draw up a workable constitution.

Their acts, as it was remarked by Romilly, constantly consisted solely of a preamble enunciating the principle, whilst the enactment of the clauses which should regulate its application was omitted or was postponed until some more favorable occasion. Bentham, on the other hand, contemned the platitudes which made up the Declaration of the Rights of Man as heartily as did Burke, and analyzed them with an acuteness at least as damaging as the orator's invective. When the French Assembly met, and Europe was excited by enthusiasm for a new era, Bentham, like a true inventor, turned his mind to meet a practical difficulty, and drew up for the use of the Assembly a scheme for the management of their debates. Readers of M. Taine's last volume will see that Bentham's suggestions in this matter were by no means superfluous; but our immediate point is to call attention to the light which the preparation by Bentham of such suggestions throws on the turn of his genius.

This special gift for the adaptation of means to ends enables us to understand two different features in his career which sometimes seem to need explanation. His special talent has, in the first place, a very close connection with what we may fairly call his special virtue. Whatever may be said of the logical effects of utilitarianism, there cannot be the least doubt that in Bentham an almost fanatical belief in utilitarian doctrine was connected with the most undoubted benevolence and with the most disinterested zeal for the public good. "I am," he writes in a book of memoranda, "as selfish as any man can be, but in me, somehow or other, so it happens, selfishness has taken the shape of benevolence." Nor is the paradox here asserted unintelligible. Even a moderate amount of sympathy with others would in many cases lead to zeal for the public benefit were it not that most people have no distinct view of any mode in which they can benefit the public. Bentham was like an inventor who has perceived by his genius the possibility of some great invention which may bless the human race. He was a man of considerable natural benevolence, but we need not doubt that the clearness with which he saw how mankind might be aided stimulated his zeal for aiding mankind. His special talent, again, explains the years of toil wasted on the attempt to obtain permission to found his Panopticon. It seems at first strange that a great speculative writer should have thrown away time and money and labor in striving for permission to set up a model prison. But the truth is that in arranging the scheme for the Panopticon Bentham was following out the true bent of his genius. Here the speculative writer on punishment runs almost into the inventor of new modes of prison discipline. Like all men, moreover, who have faith in their principles, Bentham longed for the test of practical experiment, and the world may still regret that conservatism and prejudice prevented the carrying out, under a man of first-rate genius, of what must in any case have been an invaluable experiment in the much-neglected art of rational punishment.

Several circumstances have obscured the inventive character of Bentham's mind. None of his disciples inherited his peculiar talent. The elder Mill must, even allowing for the obviously exaggerated estimate formed of James Mill's talents by his son, have possessed singular force of character; but his hard and narrow Scotch intellect had none of the suppleness or the originality which marks an inventor or a discoverer. Austin was not, even in his own line, marked by fertility of conception, and his line was the analysis of legal conceptions, not the invention of legal improvements. John Mill's receptive, and at bottom sentimental, nature fitted him to seize, elaborate, and expound the ideas of others. But the thinker to whom Hare's scheme and the enfranchisement of women seemed to be panaceas for all the political evils of the day, was certainly not the representative of the genius of a teacher who, in the nature of his talents, stood nearer to men like Watt and Stephenson than to the propounders of neat logical theories. The negative side, again, of Bentham's efforts has inevitably acquired undue prominence. When he commenced his struggle for legislative reform, he found the world encumbered by a mass of laws which certainly did not promote human happiness. The first efforts of Bentham and his disciples were inevitably directed to the repeal of bad laws. With what immense success these efforts have been rewarded may be appreciated by any one who will compare the condition of English jurisprudence under George the Third with its condition under Victoria. But that Bentham himself would have stopped short with the destruction of bad laws is what no one can suppose who appreciates his talents. Partly, however, because it is always easier to repeal a bad law than to enact a good one; partly because Bentham's disciples could hand on the formula, but could not hand on the genius of their master, the constructive side of Benthamism has fallen far more than it ought to do out of view, and critics who wish fairly to estimate what utilitarianism might achieve for the benefit of mankind, should con-

* Introduction to the Principles of Morals and Legislation. By Jeremy Bentham. London and New York: Macmillan & Co.

sider whether it is not possible that an amelioration in the lot of man far beyond what the world has ever witnessed might not be achieved if, for one generation only, the same inventive power which is turned to the creation of telephones or to the substitution of electric light for gas, were directed to the scientific improvement of law. We may, on some future occasion, call attention to the extraordinary dearth of human inventiveness in the field of politics and of legislation, but our present purpose is simply to point out that to apply inventiveness to the production of happiness was the peculiar trait of Bentham's character. Perhaps no single transaction in his life illustrates this better than what seem to have been nearly his last words. When he firmly believed he was near his last hour he said to one of his disciples, who was watching over him :

"I now feel that I am dying. Our care must be to minimize the pain. Do not let any of the servants come into the room, and keep away the youths. It will be distressing to them, and they can be of no service. Yet I must not be alone, and you will remain with me, and you only, and then we shall have reduced the pain to the least possible amount."

Even at his last breath he showed his resource, and so dealt with death itself as to "reduce the pain to the least possible amount."

The Great Painters of Christendom, from Cimabue to Wilkie. By John Forbes-Robertson. (New York: Cassell, Petter & Galpin. 1878. Pp. xi. 439, large 4to, many wood-cuts of pictures and ornamental letters, and head and tail pieces.)—On examination this proves to be a more important book than it appears at first. Its gorgeously decorated cover of green cloth, with passion-flowers and fanciful letters in gold and black; its profuse illustration, of which one-half, at least, is merely ornamental in character; the absence from those wood-cuts which really belong to the work of all reference to the original pictures or to the places where they are to be found, all go to characterize the book as a mere parlor-table publication. But it is a great deal more than that and better than that. The lives and works of more than a hundred painters of the schools of Italy, Spain, and the north, and of France and England in more recent times, are intelligibly told, with reference to the results of the latest investigations and the conclusions of modern criticism. The tone of the work is not too conservative. The author has his own views of the relative standing and dignity of different schools, and of the peculiar merits of different painters. Perhaps the expression of more decided convictions and a more imaginative insight would tend to make so general a treatise unsatisfactory to those readers for whom it is especially intended—those, namely, who know next to nothing of art, and come to a work of this kind for a guide-book knowledge of what has been generally agreed upon, rather than suggestions of what is more profound, more remote, and more individual. We are thinking of such parts of the book as, for instance, the remarks upon Raphael's work. Any suggestion that the Roman school was not in all respects the greatest of schools, and that the pictures of Raphael's maturity, even more than those of his boyhood, show some lack of reality of conception on the one hand, and of Venetian glory of color on the other, however such suggestion might please one or the other of the great classes of art-lovers, would infallibly repel the less artistically-minded reader, because seeming to him heretical and over-bold. Nothing shocks the unprepared reader so much as an excess of originality; and that which is matter of course to the practical student of art, that which he is prepared for and believes, more or less, already, as his temperament bids him, is often strange and unheard-of boldness to the general reader. In like manner it seems (p. 18) that our author is hasty in characterizing as he does, with entire reprobation, the work of the Italians during the five centuries before Cimabue. There is a good deal of chat—for it can hardly be called by a different name—about the arts akin to painting, the tendencies of architecture, etc., all of which avails little in real study of the subject; and the frequent quotations from many writers upon art are seemingly guided by no choice, but one authority is taken as about as good as another.

But we come back to the point we started from in repeating that the critical discussion of paintings and painters is not without considerable value, and that, of the books likely to be bought by the general reader, this is perhaps the best yet supplied. The enquiry is very frequently made, Where can one find a general account of schools of art and individual artists? and books pretending to give that information are by no means uncommon; but hitherto we have been unable to answer in a satisfactory way the question when put to us. The present book comes very near to being what is wanted. It is perhaps to be regretted that it is in a costly and cumbrous form.

The Problem of the Homeric Poems. By William D. Geddes, LL.D., Professor of Greek in the University of Aberdeen. (London and New York: Macmillan & Co. 1878.)—Grote's theory of the structure of the 'Iliad,' put forth in the second volume of his 'History of Greece,' was, in brief, as follows: He held that Books I., VIII., XI.–XXII. (perhaps also XXIII. and XXIV.) made up the original poem, which he called an Achilleid, and that the rest of the 'Iliad' was a subsequent enlargement of this work of Homer, although the added books are not of inferior merit nor of a later generation than the original Achilleid. His arguments for this view were drawn entirely from the inconsistencies, not of language or metre, but of subject-matter between the two sections thus separated. The theory was noticed and discussed by several German scholars within a few years after its publication in 1846, but has never, we believe, been critically examined by any English writer, except in a paper in the 'Transactions of the American Philological Association for 1876,' which paper, however, did not discuss the general subject but confined itself to criticism of Grote's arguments. Now we have in this book by Professor Geddes an attempt to establish virtually the same theory by entirely new arguments and with an important addition. His theory is that the books composing Grote's Achilleid were written by a Thessalian poet whose name is unknown to us, for the honor of the Aeolo-Dorian race of Northern Greece in the person of its chief hero, Achilles; and that the rest of the 'Iliad' (which he calls the Ulyssean books) and the 'Odyssey' were written by an Ionian poet of Asia Minor, who bore the name Homer, and have for their object to glorify the Ionic race in the person of Ulysses mainly and also of the Peloponnesian chiefs. He supports this theory by pointing out similarity between the Ulyssean books and the 'Odyssey,' and differences of the Achilleid from both, in such matters as these—extent of geographical knowledge, honor to Ulysses, varying treatment of a number of selected characters, mythology, house furniture, dress and the like, marriage usages, references to the horse and the dog, and geographical allusions suggesting the locality of the poet. Thus the Achilleid, it is argued, shows a primitive mythology, full of physical conceptions and of violent conflicts among the gods; a barbarous ethics, allowing exultation over and abuse of a slain enemy and recognizing purchase as the basis of marriage; a social life of little refinement in house-furnishing, dress, comforts, arts and inventions, an entire absence of ethical purpose in the action of the poem; and in all these particulars the Ulyssean books and the 'Odyssey' are in contrast with it. In the Achilleid the horse is the favorite animal, and the dog appears only in associations of contempt or disgust, while in the rest of the poems this relation is reversed. These points and many others like them are defended by numerous citations, and the book is thus full of matter interesting to students of Homer. It shows a very intimate acquaintance with these poems and with other literature, and no small ability in the handling of the argument.

With all this the book does not quite convince the reader. It makes the impression of being rather an argument to establish the writer's theory than an impartial presentation of the facts of the case, with a conclusion clearly made out from them. The argument is, in general, fairly conducted, with due recognition of difficulties and exceptions, but still the author sometimes (unconsciously, no doubt) makes statements which, though true in every word, are in effect false because they contain only part of the truth. It is impossible here to give full evidence of this, but one or two striking instances may be merely enumerated, that a reader of the book may see what is meant. Such instances are to be found on p. 96 (as to lack of any reference to Ulysses in eight Achillean books), on p. 99 (as to insignificance of Thessalian chiefs in Ulyssean books), on p. 107 (as to Hector's conduct towards Polydamas), on p. 167 (as to color on Ulysses's ships), on p. 207 (as to the epithet "thundering"). Again, we find sometimes only a single instance of a word in one of the two sections of the poems used to help out the argument as to their different origin. How little such solitary instances indicate is shown by Friedländer's calculation that of the whole Homeric vocabulary about one-quarter consists of words that occur only once. The writer's method is after the Gladstonian pattern, in that he lays great stress upon epithets, finds solemnity and hieratic significance where the common eye cannot detect them, and ignores the influence of metre on the formation of phrases. Like Grote, he refuses to entertain any doubt as to the original unity of the 'Odyssey,' but he does this in spite of the criticisms of Lauer, Hennings, Kirchhoff, and others, which have appeared since Grote's theory was published. On the whole, there is weakness in an argument which first assumes that such and such books form a group by themselves, and then proceeds to prove a certain character for the whole group on the strength

of passages taken only from single books. A number of the characteristics of the Ulysses group are proved only by passages from the Catalogue in Book II., or from Book IX., or from Book X., or from Book XXIV., or from two of these only. Still the view presented is so new, and the mass of indications in its favor, slight or misconceived as many of them may be, is so large, that the work deserves serious study and discussion at the hands of Homeric scholars.

Stories of Remarkable Persons. By W. Chambers, LL.D. (Edinburgh and London: W. & R. Chambers. 1878.)—This is a book of the sort that appears perennially to encourage poor and struggling youths by detailing the early lives of illustrious men. The vigorous Scotch which closes the sketch of Thomas Edward, the Banffshire naturalist, might well have served as a motto for the title-page: "Look, ye misspenders of idle time, ye wasters of existence, ye thriftless dram-drinkers, ye vacant-minded street-loungers, what was done by one as poor, if not poorer, than yourselves! All we ask is that, reflecting a little on your responsibilities, you would endeavor to take to heart the thrilling and instructive instance we have presented of a noble struggle." But the book is far above the average of its fellows; it is entertainingly written; it combines with its moralizing much valuable biographical information, some of which is very curious; we are given the history of that Scotch lord, of whom we have heard the legend, who found his life-work in sharpening razors, and who made his tailor wear his new clothes until they were fitted to his form before he would don them himself; we have a delightful extract from the curious book, 'Mystifications,' by Miss Stirling Graham; the career of De Lesseps gives occasion for a general description of the Suez Canal, and in the story of the Herschels we get the history of early telescope manufacture. Interesting to our public, particularly, are the careers of A. T. Stewart, the Astors, Horace Greeley, and the Jubilee Singers, to which, perhaps, ought to be added the story of Glencairn, the Lord Gordon of Erie notoriety in this city a few years since. This is especially, of course, a book for boys, to whom it will be commended by its excellent typography and neat binding; but the elders will find amusement and instruction in it as well. The most noted of the persons whose lives it tells, whom we have not mentioned, are the Wordsworths, the Fairbairns, Lord Eldon, Mary Somerville, and Camille Desmoulins. It is an excellent book to remember at Christmas.

A Practical Treatise on China Painting in America, with some Suggestions as to Decorative Art. By Camille Piton, Principal of the National Art Training School, Philadelphia. With folio album of Plates. (New York: John Wiley & Sons. 1878.)—The brief preface to this little book is signed by M. Piton, and states that, "owing to his imperfect acquaintance with English," his MS. has been translated by Miss C. A. Drinker. The greater part of the work is devoted to an account of the processes of painting on porcelain and on faience. It is evidently the work of a practised ceramic painter. The suggestions and warnings are such as could occur only to one who had tried all the expedients suggested and suffered from all the difficulties named. So far it is useful and trustworthy. But between author and translator, somewhere, there lies the responsibility for a series of errors and slips in the phraseology which go far to defeat the good purpose of the book. Thus, on p. 19 we are told that it is "impossible to decorate porcelain in any other way than on the surface of the glaze, by thin layers of fusible colors baked in the muffle at low temperature"—an obvious misstatement, ignoring all the immense variety of "blue china," precisely the most popular and high-priced at the present time of all ceramic wares. This statement is contradicted, moreover, a few lines below, where mention is made of the colors which need the *grand feu* or highest temperature. Painting on porcelain under the glaze seems to be generally ignored in the work, for on p. 29 it is said that "the Chinese do their beautiful work on hard porcelain with a single baking," as if the cobalt, the enamels, and the gold were all fired at once. Of course these errors are of statement only; it is evident that one particular sort of porcelain decoration was in the writer's mind, and that that one sort is spoken of by mere inadvertence as if it were the only possible kind. But these errors are numerous, and the whole description of the processes of work is exceedingly ill-arranged and vague, so that it would be probably impossible for a person otherwise uninstructed to learn from this book alone what is needful for the practice of ceramic painting. In addition to the technical part of the book there are, right in the middle, a couple of pages about heraldry, too brief and slight to be of any value; and pages five to

sixteen are devoted to the old discussion of the theoretical composition of colors and the theoretical harmonies and contrasts of colors, suggested by Mr. Chevreuil's book and Mr. Owen Jones's numerous essays and treatises, probably of no value to any workman at any time, and certainly misleading, as giving out that the art of combining colors can be taught in words. The plates are full-size outlines for transferring to tiles and plates designs not badly chosen and of possible utility.

Zoölogy of the Vertebrate Animals. By Alex. Macalister, M.D., Professor of Zoölogy and Comparative Anatomy in the University of Dublin. Specially revised for American students by A. S. Packard, jr., M.D. (New York: Henry Holt & Co. 1878.)—This manual, the first of the "Hand-books for Students and General Readers," is of the right size for its purpose, and the space has been quite justly distributed among the different subjects. The language, too, is intelligible, and the selection of morphological points is fairly good. Before speaking of the errors of detail, we will say that we think the book on the whole a useful one—in the dearth of such books a very useful one—and to be cordially welcomed as an accession to our means of teaching zoölogy. But the errors are to be regretted, especially as they must result from oversight and would have been removed if a more careful revision could have been made by the learned editor. The announcement of the volume upon the Invertebrates from the same sources makes it proper that we should call particular attention to the mistakes which deface this part. Our criticisms regard the book in its American form, and we have not observed how far Prof. Macalister as well as Prof. Packard is responsible.

The version is designed to meet the needs of American students, and might, it seems to us, have been carried to a more exact adaptation. The examples which are given are generally of European animals where common American ones could have been as well substituted, inasmuch as the object is not to teach the nature of the nightingale or hedgehog, but of the groups to which these belong. Sometimes, too, the European vulgar names are misleading: to an American reader "bull-head" would denote a horned pout, while in the text (p. 31) a kind of sculpin is referred to. The "gar pike" mentioned is the *Belone* and not the *Lepidosteus* so common in the Mississippi Valley. The latter is referred to repeatedly as the "Californian bony pike." The student might be surprised at finding that the "tropical" *Remora* was not uncommon on the bleak coasts of New England, or that a *Torpedo* was frequent here as well as in the Mediterranean. The egg-cases of the Scylliidae are spoken of. This family is not found on our coasts, but the common devil's pocket-books, the egg-cases of the skates, are left unnoticed. Other mistakes and infelicities there are. The notochord is always spoken of as cartilaginous, whereas it is almost never of that structure. *Cornua trabeculae* appear to be synonymous with *trabeculae* themselves. The spiracles of most Elasmobranchs and some Ganoids can hardly be spoken of as *gill fissures* in the way that they are on p. 8, and they may close up when the shark is quite well grown and not at an "extremely early period in embryonic life." The statement that the "median fins, though apparently single and central, are in reality composed of two lateral layers placed in close apposition," is a good example of what Comte used to call metaphysical, and has no excuse in real fact. Fish are stated to be "oviparous—that is, their young are produced from eggs." But all animals can be traced back to eggs; most Elasmobranchs are brought forth from eggs hatched inside the mother, and in some of them—the smooth dog-fish (*Mastelus*), for example—there is provision for considerable uterine nutrition by an organ analogous to a placenta. These are all ovoviviparous, an epithet freely used in speaking of reptiles, but not here. In all fishes but the Marsipobranchii no communication is said to exist between the pharynx and the nasal cavities. We find later that this is not true for the Dipnoi, nor is it true for certain Murenoids. We are surprised to be told that the Dipnoi have *horny scales*. Lizards are said to have at least the *four* limbs, which is a mistake, though the shoulder girdle is always represented even when there are no limbs. The common striped snake is rather unfortunate. We read in the glossary "*Tropidonous*, the ringed snake, 46" (which should be *Tropidonotus*, the striped snake), and on page 46 all that we find is the "striped snake, *Eutamia sertalis*," instead of *Eutamia sirtalis*, a vacillating nomenclature combining with typographical and other errors to produce one of those little confusions which are most exasperating to the beginner. The definition of the Anacanthini in the glossary as "soft-finned fishes with no swimming-bladder" contrasts somewhat with the statement which has been going the

rounds of the papers that the fishermen about Eastport have made \$75,000 the past season from hake sounds, etc., etc.

Contributions to Natural History, and Papers on Other Subjects. By James Simson. (New York: James Miller. 1878. Pp. 210.)—Apparently unconscious that the success of miscellaneous volumes like Huxley's 'Lay Sermons' is rather the result than the occasion of fame, Mr. Simson has included within the same covers essays upon subjects so diverse as "Romanism" and "The Gypsies," "John Stuart Mill" and "Snakes Swallowing their Young." Some years ago Mr. Simson found within a striped snake "about twenty snakelets of considerable size and rather lively." This was not proof that she had swallowed them, since the striped snakes—like vipers and many other species—bring forth living young, and these snakelets may have been as yet unborn. But after hearing rumors of swallowings Mr. Simson, instead of awaiting further opportunities or diminishing the density of his ignorance as to the structure and economy of serpents, "rushed into print." Thenceforth for him all snakes were "swallowers" or "non-swallowers," and all human beings "pro-swallowers" or "anti-swallowers." To this latter category belonged Mr. Frank Buckland, who, as editor of *Land and Water*, was at last constrained to decline some of Mr. Simson's communications. What such unbelief may merit is but darkly hinted by our author, but his readers will probably conclude that Mr. Buckland will be sufficiently punished by reading the unsatisfactory "evidence," the illogical "arguments," and the unwarranted "conclusions" which are reiterated in the present volume.

Yet Mr. Simson is probably correct in his belief that several species of snakes do protect their young by allowing them to glide down their throats. The late Prof. Wyman admitted its possibility, and to the accounts of numerous untrained witnesses is to be added the unimpeachable testimony of the Professor of Comparative Anatomy at Yale College, as stated by Goode in the Proceedings of the American Association for the Advancement of Science for 1873. To this paper, and to Putnam's paper in the second volume of the *American Naturalist*, those interested are referred. To convince the last lingering unbelievers it is probably necessary for a skilled observer—which Mr. Simpson might, perhaps, become after a few years of biological training—to witness the swallowing of the young, then tie a cord around the old one's neck, and finally make a careful examination by the aid of instruments more appropriate than the "two sticks" with which our author's first and only dissection was performed.

The Art of Flower Painting. By Mrs. William Duffield, with twelve illustrations by Dalziel. Edited by Susan H. Carter, Principal of the Woman's Art School, Cooper Union. (New York: G. P. Putnam's Sons. 1878.)—This is one of the odd little books whose existence it is hard to account for. Is there anybody who expects to learn anything useful about the practice of flower-painting from a hand-book? The author has not, it must be admitted, confined herself to vague generalizations. The pupil is told exactly what colors to use to imitate the hues of any of the flowers named—e.g., "This flower [the yellow crocus] is of a tone so deep that chrome yellow No. 3 must be used for the local color, and after the shadows are finished with a mixture of pink madder and a very little cobalt, it must also be glazed with gamboge." "For the blue nemophila cobalt alone will be the nearest approach to nature in the local color." It appears, indeed, that all the colors of all the flowers are to be found ready in the color-box, except a certain shade "found in the most brilliant petunias and cinerarias," and "hovering between crimson and purple" in a vexatious manner, so that "it can scarcely be called by either name." For this ineffable color the author despairs of giving a recipe, and the pupil is advised to let it alone. What we have said describes the book sufficiently. Perhaps there are those to whom it will be useful.

The editor's work has been confined—as far as appears, for no changes in the text are spoken of—to six foot-notes, of which the longest contains four lines. In one of them a certain great painter's patronymic is given as "Vernese," and in another there is question of the best guides for the student of color, and the only painter named as such a guide is "Escosura" (Leon y Escosura, no doubt), an artist whose admirers even will be a little astonished at the claim set up for him. There are true things in the book, as there are in all such books; but truth and absurdity, mingled in uncertain proportions, are a bad prescription.

The School-Boy. By Oliver Wendell Holmes. With illustrations. (Boston: Houghton, Osgood & Co. 1878.)—This is a pleasant poem in

Dr. Holmes's familiar ten-syllabled rhymed couplet, of which, *teste* "The Wonderful Quiz," he was master in 1849, and of which he is a master yet. These verses were read at Phillips Academy, Andover, at the Centennial Celebration last June. Recollections of school and play, fifty years ago; of the teachers of those days, and of the fellow-pupils who have since been teachers, or otherwise well known, make the poem partly incomprehensible to the reader who was not an Andover boy. But it remains pleasant reading for anybody.

There are about thirty wood-cuts, a few of full-page size. Messrs. D. C. Hitchcock, J. Appleton Brown, F. T. Merrill, W. L. Sheppard, and A. R. Waud are the designers, whose names are given in a table which includes all the prints except the pretty little headpiece and the tailpiece to the list of illustrations itself. The small, dark landscapes by Mr. Brown are very good; they give it is hard to say what sense of space and distance. Mr. Sheppard's crowded school-room is also a success, in its way; without effort or exaggeration the various life of the school is well expressed, and the picture is not hopelessly ugly, in spite of the bare and desolate interior which the faithful pencil was obliged to represent. Like other gift-books of the season this one is printed on one side only of heavy, smooth paper; but it is larger than they in containing forty leaves. It is also better than many in general appearance and in interest.

Growth of the Steam-Engine. By Prof. R. H. Thurston. (New York: D. Appleton & Co.)—Prof. Thurston in this work treats of the evolution of the steam-engine, and divides his treatise into discussions of the steam-engine as a simple machine, the steam-engine as a train of mechanism, the development of the modern steam-engine, the modern steam-engine, the steam-engine of to-day, and the philosophy of the steam-engine. The philosophical and historical side is presented somewhat diffusively in certain chapters, but the popular taste may require a large amount of biography in connection with a scientific presentation of the subject. The development of the modern steam-engine is treated in a masterly manner, and wherever actual processes and mechanical contrivances are described the author shows his thorough acquaintance with the steam-engine. He is candid enough to give Englishmen and Scotchmen due credit for their superiority over Americans in the introduction and perfection of the compound engine. It would have been well to have brought more forcibly to the attention of American machinists the good which has been wrought by the co-operation of the Glasgow builders with scientific laborers like Rankine and Sir William Thomson, which has led to such immense advances in the economic use of the compound engine. We could desire also that the American boiler-builder might have had a chapter devoted to his sins. The author shows conclusively the necessity of good and conscientious workmanship for further advances in the employment of steam, and reads the American mechanic a good moral lesson. Those who are interested in industrial education can find no stronger argument for its necessity than that contained in Prof. Thurston's interesting treatise.

Rock of Ages. By Augustus Montagu Toplady. With designs by Miss L. B. Humphrey, engraved by John Andrew & Son. (Boston: Lee & Shepard. 1878.)—This little gift-book contains on one page the well-known hymn in the original form, exactly as given by Lord Selborne in the 'Book of Praise,' and, following it, a very brief notice of its author. The hymn is then "illustrated" by a dozen wood-cuts, with (to each cut) a line or two of the poetry in Gothic type. The designs are of the class that would naturally be looked for in such a volume, calling for no especial remark, certainly not for praise. Two extra pictures are put in to make a thicker book, each with a brief text, having no especial reference to the hymn. The whole is printed on thick and luxurious paper.

BOOKS OF THE WEEK.

Andrews (Prof. E. B.), An Elementary Geology.....	(Van Antwerp, Bragg & Co.)	\$1 00
Bardeen (C. W.), Roderick Hume: a Tale.....	(Davis, Bardeen & Co.)	60
Beaconsfield (cartoons from) <i>Punch</i> , swd.....	(Estes & Lauriat)	25
Bell (Mrs. L. C.), "True Blue": a child's story.....	(D. Lothrop & Co.)	1 25
Calkins (N. A.) and Diaz (Mrs. A. M.), Natural History Series for Children.....	(L. Prang & Co.)	2 50
Clarkson (L.), Little Stay-at-Home and Her Friends.....	(F. W. Robinson & Co.)	5 00
The Rag Fair: Poetry.....	"	50
Farmen (Ellis), Children's Almanac, for 1879-80.....	(D. Lothrop & Co.)	50
Gustafson (Mrs. Z. B.), Meg, and Other Poems.....	(Lee & Shepard)	1 00
Happy Moods of Happy Children.....	(D. Lothrop & Co.)	1 00
Harvard University Catalogue.....	(C. W. Sever)	3 50
Hodge (Rev. C.), Discussions in Church Polity.....	(Charles Scribner's Sons)	5 00
Jones (Julia C.), Valhalla: a Poem.....	(Edward Bosqui & Co.)	25
Lange (Rev. J. P.), Commentary: Isaiah.....	(Charles Scribner's Sons)	5 00
Lockwood (Florence B.), The Training of Children, swd.....	(Edward Stern & Co.)	25
Leighton W., Change: Poetry.....	(J. B. Lippincott & Co.)	1 50
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